

ORDINANCE NO. 215, 2025  
OF THE COUNCIL OF THE CITY OF FORT COLLINS  
AMENDING CHAPTER 5, ARTICLE II, DIVISION 2 OF THE CODE OF THE CITY OF FORT  
COLLINS FOR THE PURPOSE OF REPEALING THE 2021 INTERNATIONAL SWIMMING  
POOL AND SPA CODE AND ADOPTING THE 2024 INTERNATIONAL SWIMMING POOL  
AND SPA CODE, WITH AMENDMENTS

A. Since 1924, the City has reviewed, amended and adopted the latest nationally recognized building standards available for the times.

B. Upon recommendation of City staff, the City Council has determined that it is in the best interests of the City to align eleven interconnected basic construction codes under one publication year.

C. The eleven interconnected basic construction codes are the *International Building Code*, *International Residential Code*, *International Mechanical Code*, *International Fuel Gas Code*, *International Energy Conservation Code*, *International Property Maintenance Code*, *International Swimming Pool and Spa Code*, *International Existing Building Code*, *International Plumbing Code*, *International Fire Code*, and the *International Wildland-Urban Interface Code* to the extent adopted by the *Colorado Wildfire Resiliency Code*.

D. The City Council has determined that the 2024 publication year of these interconnected basic construction codes should be adopted and that any counterpart *International* codes previously adopted should be repealed, both in order to align the publication years of the codes and because the 2024 publications contain improvements in construction code regulation.

E. City staff has conducted a significant public outreach program, working with the regulated construction industry and building professionals.

F. The adoption of the interconnected basic construction codes has been presented to community groups and feedback has been received from the Water Commission, Energy Board, Commission on Disability, Natural Resource Advisory Board, Poudre Fire Authority Board, Building Review Commission, Affordable Housing Board, and Air Quality Advisory Board.

G. The City Council has determined that it is in the best interest of the health, safety and welfare of the City and its residents that the *2024 International Swimming Pool and Spa Code* be adopted, with local amendments as set forth in this Ordinance.

H. Pursuant to the City Charter, Article II, Section 7, City Council may enact any ordinance which adopts a code by reference in whole or in part provided that before adoption of such ordinance the Council hold a public hearing thereon and that notice of the hearing shall be published twice in a newspaper of general circulation published in the City, with one of such publications occurring at least eight (8) days preceding the

hearing and the other publication occurring at least fifteen (15) days preceding the hearing.

I. In compliance with City Charter, Article II, Section 7, the City Clerk published in the Fort Collins *Coloradoan* such notice of hearing concerning adoption of the 2024 International Codes on November 16, 2025, and November 23, 2025.

J. Attached as Exhibit A and incorporated herein by reference is the Notice of Public Hearing dated November 16, 2025, that was so published and which the Council hereby finds meets the requirements of Article II, Section 7 of the City Charter.

In light of the foregoing recitals, which the Council hereby makes and adopts as determinations and findings, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF FORT COLLINS as follows:

Section 1. The City Council hereby repeals the 2021 *International Swimming Pool and Spa Code* ("ISPSC") and adopts 2024 ISPSC as amended by this Ordinance.

Section 2. Section 5-34 of the Code of the City of Fort Collins is hereby amended to read as follows:

**Sec. 5-34. - Adoption of standards.**

Pursuant to the power and authority conferred on the City Council by C.R.S. §Colorado Revised Statutes Section 31-16-202 and Article II, Section 7 of the Charter, the City Council has adopted the ~~2021~~2024 *International Swimming Pool and Spa Code*, published by the International Code Council, second printing (August 2024), as amended by the City, which shall have the same force and effect as though set forth in full herein. The subject matter of the ~~2021~~2024 *International Swimming Pool and Spa Code* adopted herein includes comprehensive provisions and standards regulating and controlling the construction, alteration, movement, renovation, replacement, repair and maintenance of aquatic recreation facilities, pools and spas for the purpose of protecting public health, safety and general welfare.

Section 3. Section 5-35 of the Code of the City of Fort Collins is hereby repealed and reenacted to read as follows:

**Sec. 5-35. - Amendments and deletions to the 2024 International Swimming Pool and Spa Code.**

The 2024 *International Swimming Pool and Spa Code* adopted in § 5-34 is amended as follows:

1. **Section 101.1 Title** is amended to read as follows:

**101.1 Title.** These regulations shall be known as the *Swimming Pool and Spa Code* of the City of Fort Collins, hereinafter referred to as “this code.”

2. **Section 102.7 Referenced codes and standards** is amended to read as follows:

The codes and standards referenced in this code shall be those that are listed in Chapter 11 of this code and those listed in Section 101.4 of the adopted *International Building Code*, entitled “Referenced Codes,” and such codes and standards shall be considered to be part of the requirements of this code to the prescribed extent of each such reference. Where differences occur between provisions of this code and the referenced standards, the provisions of this code shall be the minimum requirements.

3. **SECTION 103 CODE COMPLIANCE AGENCY** is deleted in its entirety, and replaced with the following:

#### **~~SECTION 103 CODE COMPLIANCE AGENCY~~**

~~**[A] 103.1 Creation of agency.** The **[NAME OF DEPARTMENT]** is hereby created and the official in charge thereof shall be known as the *code official*. The function of the agency shall be the implementation, administration and enforcement of the provisions of this code.~~

~~**[A] 103.2 Appointment.** The *code official* shall be appointed by the chief appointing authority of the jurisdiction.~~

~~**[A] 103.3 Deputies.** In accordance with the prescribed procedures of this jurisdiction and with the concurrence of the appointing authority, the *code official* shall have the authority to appoint a deputy *code official*, other related technical officers, inspectors and other employees. Such employees shall have powers as delegated by the *code official*.~~

#### **SECTION 103 CODE ADMINISTRATION**

**103.1 Entity charged with code administration.** The entity charged with code administration shall be as determined in accordance with Section 103 of the adopted *International Building Code*, entitled “CODE ADMINISTRATION.”

4. **SECTION 104 DUTIES AND POWERS OF THE CODE OFFICIAL** is deleted in its entirety and replaced with the following:

#### **~~SECTION 104 DUTIES AND POWERS OF THE CODE OFFICIAL~~**

~~**[A] 104.1 General.** The *code official* is hereby authorized and directed to enforce the provisions of this code.~~

**~~[A] 104.2 Determination of compliance.~~** The code official shall have the authority to determine compliance with this code, to render interpretations of this code and to adopt policies and procedures in order to clarify the application of its provisions. Such interpretations, policies and procedures:

- ~~1. Shall be in compliance with the intent and purpose of this code.~~
- ~~2. Shall not have the effect of waiving requirements specifically provided for in this code.~~

**~~[A] 104.2.1 Listed compliance.~~** Where this code or a referenced standard requires equipment, materials, products or services to be listed and a listing standard is specified, the listing shall be based on the specified standard. Where a listing standard is not specified, the listing shall be based on an approved listing criteria. Listings shall be germane to the provision requiring the listing. Installation shall be in accordance with the listing and the manufacturer's instructions, and where required to verify compliance, the listing standard and manufacturer's instructions shall be made available to the code official.

**~~[A] 104.2.2 Technical assistance.~~** To determine compliance with this code, the code official is authorized to require the owner or owner's authorized agent to provide a technical opinion and report.

**~~[A] 104.2.2.1 Cost.~~** A technical opinion and report shall be provided without charge to the jurisdiction.

**~~[A] 104.2.2.2 Preparer qualifications.~~** The technical opinion and report shall be prepared by a qualified engineer, specialist, laboratory or specialty organization acceptable to the code official. The code official is authorized to require design submittals to be prepared by, and bear the stamp of, a registered design professional.

**~~[A] 104.2.2.3 Content.~~** The technical opinion and report shall analyze the properties of the design, operation or use of the building or premises and the facilities and appurtenances situated thereon to identify and propose necessary recommendations.

**~~[A] 104.2.2.4 Tests.~~** Where there is insufficient evidence of compliance with the provisions of this code, the code official shall have the authority to require tests as evidence of compliance. Test methods shall be as specified in this code or by other recognized test standards. In the absence of recognized test standards, the code official shall approve the testing procedures. Such tests shall be performed by a party acceptable to the code official.

**~~[A] 104.2.3 Alternative materials, design and methods of construction and equipment.~~** The provisions of this code are not intended to prevent the installation of any material or to prohibit any design or method of construction

~~not specifically prescribed by this code, provided that any such alternative is not specifically prohibited by this code and has been approved.~~

~~**Exception:** Performance-based alternative materials, designs or methods of construction and equipment complying with the *International Code Council Performance Code*.~~

~~**[A] 104.2.3.1 Approval authority.** An alternative material, design or method of construction shall be approved where the code official finds that the proposed alternative is satisfactory and complies with Sections 104.2.3 through 104.2.3.7, as applicable.~~

~~**[A] 104.2.3.2 Application and disposition.** Where required, a request to use an alternative material, design or method of construction shall be submitted in writing to the code official for approval. Where the alternative material, design or method of construction is not approved, the code official shall respond in writing, stating the reasons the alternative was not approved.~~

~~**[A] 104.2.3.3 Compliance with code intent.** An alternative material, design or method of construction shall comply with the intent of the provisions of this code.~~

~~**[A] 104.2.3.4 Equivalency criteria.** An alternative material, design or method of construction shall, for the purpose intended, be not less than the equivalent of that prescribed in this code with respect to all of the following, as applicable:~~

- ~~1. Quality.~~
- ~~2. Strength.~~
- ~~3. Effectiveness.~~
- ~~4. Durability.~~
- ~~5. Safety, other than fire safety.~~
- ~~6. Fire safety.~~

~~**[A] 104.2.3.5 Tests.** Tests conducted to demonstrate equivalency in support of an alternative material, design or method of construction application shall be of a scale that is sufficient to predict performance of the end use configuration. Tests shall be performed by a party acceptable to the code official.~~

~~**[A] 104.2.3.6 Reports.** Supporting documentation, where necessary to assist in the approval of materials or assemblies not specifically provided for in this code, shall comply with Sections 104.2.3.6.1 and 104.2.3.6.2.~~

~~**[A] 104.2.3.6.1 Evaluation reports.** Evaluation reports shall be issued by an approved agency and use of the evaluation report shall require approval by the code official for the installation. The alternate material,~~

~~design or method of construction and product evaluated shall be within the scope of the code official's recognition of the approved agency. Criteria used for the evaluation shall be identified within the report and, where required, provided to the code official.~~

~~**[A] 104.2.3.6.2 Other reports.** Reports not complying with Section 104.2.3.6.1 shall describe criteria, including but not limited to any referenced testing or analysis, used to determine compliance with code intent and justify code equivalence. The report shall be prepared by a qualified engineer, specialist, laboratory or specialty organization acceptable to the code official. The code official is authorized to require design submittals to be prepared by, and bear the stamp of, a registered design professional.~~

~~**[A] 104.2.3.7 Peer review.** The code official is authorized to require submittal of a peer review report in conjunction with a request to use an alternative material, design or method of construction, prepared by a peer reviewer that is approved by the code official.~~

~~**[A] 104.2.4 Modifications.** Where there are practical difficulties involved in carrying out the provisions of this code, the code official shall have the authority to grant modifications for individual cases provided that the code official shall first find that one or more special individual reasons make the strict letter of this code impractical, that the modification is in compliance with the intent and purpose of this code, and that such modification does not lessen health, accessibility, life and fire safety or structural requirements. The details of the written request for and action granting modifications shall be recorded and entered in the files of the department of building safety.~~

~~**[A] 104.2.4.1 Flood hazard areas.** The code official shall not grant modifications to any provision required in flood hazard areas as established by Section 1612.3 of the International Building Code unless a determination has been made that:~~

- ~~1. A showing of good and sufficient cause that the unique characteristics of the size, configuration or topography of the site render the elevation standards of Section 1612 of the *International Building Code* inappropriate.~~
- ~~2. A determination that failure to grant the variance would result in exceptional hardship by rendering the lot undevelopable.~~
- ~~3. A determination that the granting of a variance will not result in increased flood heights, additional threats to public safety or extraordinary public expense; cause fraud on or victimization of the public; or conflict with existing laws or ordinances.~~
- ~~4. A determination that the variance is the minimum necessary to afford relief, considering the flood hazard.~~

5. ~~Submission to the applicant of written notice specifying the difference between the design flood elevation and the elevation to which the building is to be built, stating that the cost of flood insurance will be commensurate with the increased risk resulting from the reduced floor elevation, and stating that construction below the design flood elevation increases risks to life and property.~~

~~**[A] 104.3 Applications and permits.** The code official shall receive applications, review construction documents and issue permits, inspect the premises for which such permits have been issued and enforce compliance with the provisions of this code.~~

~~**[A] 104.3.1 Determination of substantially improved or substantially damaged existing buildings and structures in flood hazard areas.** For applications for reconstruction, rehabilitation, repair, alteration, addition or other improvement of existing buildings or structures located in flood hazard areas, the code official shall determine if the proposed work constitutes substantial improvement or repair of substantial damage. Where the code official determines that the proposed work constitutes substantial improvement or repair of substantial damage, and where required by this code, the code official shall require the building to meet the requirements of Section 1612 of the International Building Code or Section R306 of the International Residential Code, as applicable.~~

~~**[A] 104.4 Right of entry.** Where it is necessary to make an inspection to enforce the provisions of this code, or where the code official has reasonable cause to believe that there exists in a structure or on a premises a condition that is contrary to or in violation of this code that makes the structure or premises unsafe, dangerous or hazardous, the code official is authorized to enter the structure or premises at reasonable times to inspect or to perform the duties imposed by this code. If such structure or premises is occupied, the code official shall present credentials to the occupant and request entry. If such structure or premises is unoccupied, the code official shall first make a reasonable effort to locate the owner, the owner's authorized agent or other person having charge or control of the structure or premises and request entry. If entry is refused, the code official shall have recourse to every remedy provided by law to secure entry.~~

~~**[A] 104.4.1 Warrant.** Where the code official has first obtained a proper inspection warrant or other remedy provided by law to secure entry, an owner, the owner's authorized agent or occupant or person having charge, care or control of the structure or premises shall not fail or neglect, after a proper request is made as herein provided, to permit entry therein by the code official for the purposes of inspection and examination pursuant to this code.~~

~~**[A] 104.5 Identification.** The code official shall carry proper identification when inspecting structures or premises in the performance of duties under this code.~~

~~**[A] 104.6 Notices and orders.** The code official shall issue necessary notices or orders to ensure compliance with this code. Notices of violations shall be in accordance with Section 113.~~

~~**[A] 104.7 Official records.** The code official shall keep official records as required by Sections 104.7.1 through 104.7.5. Such official records shall be retained for not less than 5 years or for as long as the building or structure to which such records relate remains in existence, unless otherwise provided by other regulations.~~

~~**[A] 104.7.1 Approvals.** A record of approvals shall be maintained by the code official and shall be available for public inspection during business hours in accordance with applicable laws.~~

~~**[A] 104.7.2 Inspections.** The code official shall have the authority to conduct inspections, or shall accept reports of inspection by approved agencies or individuals. Reports of such inspections shall be in writing and be certified by a responsible officer of such approved agency or by the responsible individual. The code official shall keep a record of each inspection made, including notices and orders issued, showing the findings and disposition of each.~~

~~**[A] 104.7.3 Code alternatives and modifications.** Application for alternative materials, design and methods of construction and equipment in accordance with Section 104.2.3; modifications in accordance with Section 104.2.4; and documentation of the final decision of the code official for either shall be in writing and shall be retained in the official records.~~

~~**[A] 104.7.4 Tests.** The code official shall keep a record of tests conducted to comply with Sections 104.2.2.4 and 104.2.3.5.~~

~~**[A] 104.7.5 Fees.** The code official shall keep a record of fees collected and refunded in accordance with Section 109.~~

~~**[A] 104.8 Liability.** The code official, member of the board of appeals or employee charged with the enforcement of this code, while acting for the jurisdiction in good faith and without malice in the discharge of the duties required by this code or other pertinent law or ordinance, shall not thereby be personally liable, either civilly or criminally, and is hereby relieved from personal liability for any damage accruing to persons or property as a result of any act or by reason of any act or omission in the discharge of official duties.~~

~~**[A] 104.8.1 Legal defenses.** Any suit or criminal complaint instituted against any officer or employee because of an act performed by that officer or employee in the lawful discharge of duties under the provisions of this code or other laws or ordinances implemented through the enforcement of this code shall be defended by legal representatives of the jurisdiction until the final termination of the proceedings. The code official or any subordinate shall not~~



be liable for costs in any action, suit or proceeding that is instituted in pursuance of the provisions of this code.

~~[A] 104.9 Approved materials and equipment.~~ Materials, equipment and devices approved by the code official shall be constructed and installed in accordance with such approval.

~~[A] 104.9.1 Materials and equipment reuse.~~ Materials, equipment and devices shall not be reused unless such elements are in good working condition and approved.

## **SECTION 104 DUTIES AND POWERS OF THE CODE OFFICIAL**

**104.1 General.** The duties and powers of the *code official* shall be as determined in accordance with Section 103 of the adopted *International Building Code*, entitled "CODE ADMINISTRATION."

5. **SECTION 105 PERMITS** is deleted in its entirety and replaced with the following:

### **SECTION 105 PERMITS**

~~[A] 105.1 Where required.~~ Any owner, or owner's authorized agent who desires to construct, enlarge, alter, repair, move, or demolish a pool or spa or to erect, install, enlarge, alter, repair, remove, convert or replace any system, the installation of which is regulated by this code, or to cause any such work to be performed, shall first make application to the *code official* and obtain the required permit for the work. A permit shall not be required for replastering or resurfacing of an existing pool or spa.

~~[A] 105.2 Application for permit.~~ Each application for a permit, with the required fee, shall be filed with the *code official* on a form furnished for that purpose and shall contain a general description of the proposed work and its location. The application shall be signed by the owner or the owner's authorized agent. The permit application shall contain such other information required by the *code official*.

~~[A] 105.3 Time limitation of application.~~ An application for a permit for any proposed work shall be deemed to have been abandoned 180 days after the date of filing unless such application has been pursued in good faith or a permit has been issued; except that the *code official* is authorized to grant one or more extensions of time for additional periods not exceeding 180 days each. The extension shall be requested in writing and justifiable cause demonstrated.

~~[A] 105.4 Permit issuance.~~ The application, construction documents and other data filed by an applicant for permit shall be reviewed by the *code official*. If the *code official* finds that the proposed work conforms to the requirements of this code

and laws and ordinances applicable thereto, and that the fees specified in Section 109.1 have been paid, a permit shall be issued to the applicant.

~~**[A] 105.4.1 Approved construction documents.** When the *code official* issues the permit where construction documents are required, the construction documents shall be endorsed in writing and stamped "APPROVED." Such *approved* construction documents shall not be changed, modified or altered without authorization from the *code official*. Work shall be done in accordance with the *approved* construction documents.~~

~~The *code official* shall have the authority to issue a permit for the construction of a part of a system before the entire construction documents for the whole system have been submitted or *approved*, provided that adequate information and detailed statements have been filed complying with pertinent requirements of this code. The holders of such permit shall proceed at their own risk without assurance that the permit for the entire system will be granted.~~

~~**[A] 105.4.2 Validity.** The issuance of a permit or approval of construction documents shall not be construed to be a permit for, or an approval of, any violation of any of the provisions of this code or any other ordinance of the jurisdiction. Any permit presuming to give authority to violate or cancel the provisions of this code shall not be valid.~~

~~The issuance of a permit based on construction documents and other data shall not prevent the *code official* from thereafter requiring the correction of errors in said construction documents and other data or from preventing building operations being carried on thereunder where in violation of this code or of other ordinances of this jurisdiction.~~

~~**[A] 105.4.3 Expiration.** Every permit issued shall become invalid unless the work authorized by such permit is commenced within 180 days after its issuance, or if the work authorized by such permit is suspended or abandoned for a period of 180 days after the time the work is commenced. The *code official* is authorized to grant, in writing, one or more extensions of time, for a period not more than 180 days. The extension shall be requested in writing and justifiable cause demonstrated.~~

~~**[A] 105.4.4 Extensions.** Any permittee holding an unexpired permit shall have the right to apply for an extension of the time within which the permittee will commence work under that permit when work is unable to be commenced within the time required by this section for good and satisfactory reasons. The *code official* shall extend the time for action by the permittee for a period not exceeding 180 days if there is reasonable cause. The fee for an extension shall be one half the amount required for a new permit for such work.~~

~~[A] 105.4.5 Suspension or revocation of permit. The code official shall revoke a permit or approval issued under the provisions of this code in case of any false statement or misrepresentation of fact in the application or on the construction documents on which the permit or approval was based.~~

## **SECTION 105 PERMITS**

**105.1 General.** All items related to permits shall be as determined in accordance with Section 105 of the adopted *International Building Code*, entitled "PERMITS."

6. **SECTION 106 TEMPORARY STRUCTURES, EQUIPMENT AND SYSTEMS** is deleted in its entirety and replaced with the following:

### **~~SECTION 106 TEMPORARY STRUCTURES, EQUIPMENT AND SYSTEMS~~**

~~[A] 106.1 General. The code official is authorized to issue a permit for temporary structures, equipment or systems. Such permits shall be limited as to time of service, but shall not be permitted for more than 180 days. The code official is authorized to grant extensions for demonstrated cause.~~

~~[A] 106.2 Conformance. Temporary structures, equipment and systems shall conform to the requirements of this code as necessary to ensure health, safety and general welfare.~~

~~[A] 106.3 Temporary service utilities. The code official is authorized to give permission to temporarily supply service utilities in accordance with Section 110.~~

~~[A] 106.4 Termination of approval. The code official is authorized to terminate such permit for a temporary structures, equipment, or system and to order the same to be discontinued.~~

## **SECTION 106 TEMPORARY STRUCTURES, EQUIPMENT AND SYSTEMS**

**106.1 General.** All items related to temporary structures, equipment, and systems shall be as determined in accordance with Section 108 of the adopted *International Building Code*, entitled "TEMPORARY STRUCTURES, EQUIPMENT AND SYSTEMS."

7. **SECTION 107 CONSTRUCTION DOCUMENTS** is deleted in its entirety and replaced with the following:

### **SECTION 107 CONSTRUCTION DOCUMENTS**

~~[A] 107.1 Construction documents. Construction documents, engineering calculations, diagrams and other such data shall be submitted in two or more sets with each application for a permit. The code official shall require construction~~

~~documents, computations and specifications to be prepared and designed by a registered design professional where required by state law. Construction documents shall be drawn to scale and shall be of sufficient clarity to indicate the location, nature and extent of the work proposed and show in detail that the work conforms to the provisions of this code.~~

~~[A] 107.2 Retention of construction documents. One set of approved construction documents shall be retained by the code official for a period of not less than 180 days from date of completion of the permitted work, or as required by state or local laws. One set of approved construction documents shall be returned to the applicant, and said set shall be kept on the site of the building or work at all times during which the work authorized thereby is in progress.~~

## **SECTION 107 CONSTRUCTION DOCUMENTS**

**107.1 Construction documents.** All items related to construction documents shall be as determined in accordance with Section 107 of the adopted *International Building Code*, entitled "CONSTRUCTION DOCUMENTS."

8. **SECTION 109 FEES** is deleted in its entirety and replaced with the following:

### **SECTION 109 FEES**

~~[A] 109.1 Fees. A permit shall not be valid until the fees prescribed by law have been paid. An amendment to a permit shall not be released until the additional fee, if any, has been paid.~~

~~[A] 109.2 Schedule of permit fees. Where work requires a permit, a fee for each permit shall be paid as required, in accordance with the schedule as established by the applicable governing authority~~

~~[A] 109.3 Permit valuations. The applicant for a permit shall provide an estimated value of the work for which the permit is being issued at time of application. Such estimated valuations shall include total value of work, including materials and labor, for which the permit is being issued, such as mechanical equipment and permanent systems. Where, in the opinion of the code official, the valuation is underestimated, the permit shall be denied unless the applicant can show detailed estimates to the code official. The code official shall have the authority to adjust the final valuation for permit fees.~~

~~[A] 109.4 Work commencing before permit issuance. Any person who commences any work on a mechanical system before obtaining the necessary permits shall be subject to a fee as established by the code official that shall be in addition to the required permit fees.~~

~~[A] 109.5 Related fees.~~ The payment of the fee for the construction, *alteration*, removal or demolition for work done in connection to or concurrently with the work authorized by a permit shall not relieve the applicant or holder of the permit from the payment of other fees that are prescribed by law.

~~[A] 109.6 Refunds.~~ The *code official* is authorized to establish a refund policy.

## **SECTION 109 FEES**

**109.1 Fees.** All items relating to fees shall be as specified in Section 109 of the adopted *International Building Code*, entitled "FEES."

9. **SECTION 110 SERVICE UTILITIES** is deleted in its entirety and replaced with the following:

## **SECTION 110 SERVICE UTILITIES**

~~[A] 110.1 Connection of service utilities.~~ A person shall not make connections from a utility, source of energy, fuel, power, water system or sewer system to any building or system that is regulated by this code for which a permit is required until authorized by the *code official*.

~~[A] 110.2 Temporary connection.~~ The *code official* shall have the authority to authorize the temporary connection of the building or system to the utility, source of energy, fuel, power, water system or sewer system for the purpose of testing systems or for use under a temporary approval.

~~[A] 110.3 Authority to disconnect service utilities.~~ The *code official* shall have the authority to authorize disconnection of utility service to the building, structure or system regulated by this code and the referenced codes and standards in case of emergency where necessary to eliminate an immediate hazard to life or property or where such utility connection has been made without the approval required by Section 110.1 or 110.2. The *code official* shall notify the serving utility, and wherever possible the owner or the owner's authorized agent and occupant of the building, structure or service system of the decision to disconnect prior to taking such action. If not notified prior to disconnecting, the owner, the owner's authorized agent or occupant of the building, structure or service system shall be notified in writing, as soon as practical thereafter.

## **SECTION 110 SERVICE UTILITIES**

**110.1 General.** All items relating to connection and disconnection of service utilities shall be as specified in Section 112 of the adopted *International Building Code*, entitled "SERVICE UTILITIES."

10. **SECTION 111 INSPECTIONS** is deleted in its entirety and replaced with the following:

## **SECTION 111 INSPECTIONS**

~~**[A] 111.1 General.** Construction or work for which a permit is required shall be subject to inspection by the code official and such construction or work shall remain visible and able to be accessed for inspection purposes until *approved*. Approval as a result of an inspection shall not be construed to be an approval of a violation of the provisions of this code or of other ordinances of the jurisdiction. Inspections presuming to give authority to violate or cancel the provisions of this code or of other ordinances of the jurisdiction shall not be valid. It shall be the duty of the permit applicant to cause the work to remain available and exposed for inspection purposes. Neither the *code official* nor the jurisdiction shall be liable for expense entailed in the removal or replacement of any material required to allow inspection.~~

~~**[A] 111.2 Preliminary inspection.** Before issuing a permit, the *code official* is authorized to examine or cause to be examined buildings, structures and sites for which an application has been filed.~~

~~**[A] 111.3 Required inspections and testing.** Pool and spa installations or alterations thereto, including equipment, piping, and appliances related thereto, shall be inspected by the *code official* to ensure compliance with the requirements of this code.~~

~~**[A] 111.4 Other inspections.** In addition to the inspections specified in Sections 111.2 and 111.3, the *code official* is authorized to make or require other inspections of any construction work to ascertain compliance with the provisions of this code and other laws that are enforced.~~

~~**[A] 111.5 Inspection request.** It shall be the duty of the holder of the permit or their duly authorized agent to notify the *code official* when work is ready for inspection. It shall be the duty of the permit holder to provide access to and means for inspections of such work that are required by this code.~~

~~**[A] 111.6 Approval required.** Work shall not be done beyond the point indicated in each successive inspection without first obtaining the approval of the *code official*. The *code official*, upon notification, shall make the requested inspection and shall either indicate the portion of the construction that is satisfactory as completed, or notify the permit holder or his or her agent wherein the same fails to comply with this code. Any portions that do not comply shall be corrected and such portion shall not be covered or concealed until authorized by the *code official*.~~

~~**[A] 111.7 Approved agencies.** Test reports submitted to the *code official* for consideration shall be developed by *approved* agencies that have satisfied the requirements as to qualifications and reliability.~~

~~[A] 111.8 Evaluation and follow-up inspection services.~~ Prior to the approval of a closed, prefabricated system and the issuance of a permit, the *code official* shall require the submittal of an evaluation report on each prefabricated system indicating the complete details of the system, including a description of the system and its components, the basis on which the system is being evaluated, test results and similar information, and other data as necessary for the *code official* to determine conformance to this code.

~~[A] 111.9 Evaluation service.~~ The *code official* shall designate the evaluation service of an *approved* agency as the evaluation agency, and review such agency's evaluation report for adequacy and conformance to this code.

~~[A] 111.10 Follow-up inspection.~~ Except where ready access is provided to systems, service equipment and accessories for complete inspection at the site without disassembly or dismantling, the *code official* shall conduct the frequency of in-plant inspections necessary to ensure conformance to the *approved* evaluation report or shall designate an independent, *approved* inspection agency to conduct such inspections. The inspection agency shall furnish the *code official* with the follow-up inspection manual and a report of inspections on request, and the system shall have an identifying label permanently affixed to the system indicating that factory inspections have been performed.

~~[A] 111.11 Test and inspection records.~~ Required test and inspection records shall be available to the *code official* at all times during the fabrication of the system and the installation of the system, or such records as the *code official* designates shall be filed.

~~[A] 111.12 Special inspections.~~ Special inspections of alternative engineered design systems shall be conducted in accordance with Sections 111.12.1 and 111.12.2.

~~[A] 111.12.1 Periodic inspection.~~ The registered design professional or designated inspector shall periodically inspect and observe the alternative engineered design to determine that the installation is in accordance with the *approved* construction documents. Discrepancies shall be brought to the immediate attention of the contractor for correction. Records shall be kept of inspections.

~~[A] 111.12.2 Written report.~~ The registered design professional shall submit a final report in writing to the *code official* upon completion of the installation, certifying that the alternative engineered design conforms to the *approved* construction documents. A notice of approval for the system shall not be issued until a written certification has been submitted.

~~[A] 111.13 Testing.~~ Systems shall be tested as required by this code. Tests shall be made by the permit holder and the ~~code official~~ shall have the authority to witness such tests.

~~[A] 111.14 New, altered, extended or repaired systems.~~ New systems and parts of existing systems that have been altered, extended or repaired shall be tested as prescribed by this code.

~~[A] 111.15 Equipment, material and labor for tests.~~ Equipment, material and labor required for testing a system or part thereof shall be furnished by the permit holder.

~~[A] 111.16 Reinspection and testing.~~ Where any work or installation does not pass any initial test or inspection, the necessary corrections shall be made to comply with this code. The work or installation shall then be resubmitted to the ~~code official~~ for inspection and testing.

## **SECTION 111 INSPECTIONS**

**111.1 General.** All items relating to inspections shall be as specified in Section 110 of the adopted *International Building Code*, entitled "INSPECTIONS."

11. **SECTIONS 112 MEANS OF APPEAL** is deleted in its entirety and replaced with the following:

## **SECTION 112 MEANS OF APPEALS**

~~[A] 112.1 General.~~ In order to hear and decide appeals of orders, decisions or determinations made by the ~~code official~~ relative to the application and interpretation of this code, there shall be and is hereby created a board of appeals. The board of appeals shall be appointed by the applicable governing authority and shall hold office at its pleasure. The board shall adopt rules of procedure for conducting its business and shall render all decisions and findings in writing to the appellant with a duplicate copy to the ~~code official~~.

~~[A] 112.2 Limitations on authority.~~ An application for appeal shall be based on a claim that the true intent of this code or the rules legally adopted thereunder have been incorrectly interpreted, the provisions of this code do not fully apply, or an equivalent or better form of construction is proposed. The board shall not have authority to waive requirements of this code.

~~[A] 112.3 Qualifications.~~ The board of appeals shall consist of members who are qualified by experience and training on matters pertaining to the provisions of this code and are not employees of the jurisdiction.



~~[A] 112.4 Administration. The code official shall take action without delay in accordance with the decision of the board.~~

## **SECTION 112 MEANS OF APPEAL**

**112.1 Means of Appeal.** Appeals of decisions, determinations and interpretations of this code shall be made pursuant to the applicable provisions of Section 113 of the adopted *International Building Code*, entitled "MEANS OF APPEALS."

12. **SECTIONS 113 VIOLATIONS** is deleted in its entirety and replaced with the following:

## **SECTION 113 VIOLATIONS**

~~[A] 113.1 Unlawful acts. It shall be unlawful for any person, firm or corporation to erect, construct, alter, repair, remove, demolish or utilize any system, or cause same to be done, in conflict with or in violation of any of the provisions of this code.~~

~~[A] 113.2 Notice of violation. The code official shall serve a notice of violation or order to the person responsible for the erection, installation, alteration, extension, repair, removal or demolition of work in violation of the provisions of this code, or in violation of a detail statement or the approved construction documents there under, or in violation of a permit or certificate issued under the provisions of this code. Such order shall direct the discontinuance of the illegal action or condition and the abatement of the violation.~~

~~[A] 113.3 Prosecution of violation. If the notice of violation is not complied with promptly, the code official shall request the legal counsel of the jurisdiction to institute the appropriate proceeding at law or in equity to restrain, correct or abate such violation, or to require the removal or termination of the unlawful pool or spa in violation of the provisions of this code or of the order or direction made pursuant thereto.~~

~~[A] 113.4 Violation penalties. 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 a [SPECIFY OFFENSE], punishable by a fine of not more than [AMOUNT] dollars or by imprisonment not exceeding [NUMBER OF DAYS], or both such fine and imprisonment. Each day that a violation continues after due notice has been served shall be deemed a separate offense.~~

~~[A] 113.5 Abatement of violation. The imposition of the penalties herein prescribed shall not preclude the legal officer of the jurisdiction from instituting appropriate action to prevent violation, or to prevent illegal use of a pool or spa, or~~

to stop an illegal act, conduct, business or utilization of the plumbing on or about any premises.

**[A] 113.6 Unsafe systems.** Any system regulated by this code that is unsafe or that constitutes a fire or health hazard, insanitary condition, or is otherwise dangerous to human life is hereby declared unsafe. Any use of a system regulated by this code constituting a hazard to safety, health or public welfare by reason of inadequate maintenance, dilapidation, obsolescence, fire hazard, disaster, damage or abandonment is hereby declared an unsafe use. Any such unsafe system is hereby declared to be a public nuisance and shall be abated by repair, rehabilitation, demolition or removal.

**[A] 113.6.1 Authority to condemn a system.** Where the *code official* determines that any system, or portion thereof, regulated by this code has become hazardous to life, health or property or has become insanitary, the *code official* shall order in writing that such system either be removed or restored to a safe or sanitary condition. A time limit for compliance with such order shall be specified in the written notice. A person shall not use or maintain a defective system after receiving such notice.

Where such a system is to be disconnected, written notice as prescribed in Section 113.2 shall be given. In cases of immediate danger to life or property, such disconnection shall be made immediately without such notice.

**[A] 113.6.2 Authority to disconnect service utilities.** The *code official* shall have the authority to authorize disconnection of utility service in accordance with Section 110.3.

**[A] 113.6.3 Connection after order to disconnect.** A person shall not make connections from any energy, fuel, power supply or water distribution system, or supply energy, fuel or water to any equipment regulated by this code that has been disconnected or ordered to be disconnected by the *code official* or the use of which has been ordered to be discontinued by the *code official* until the *code official* authorizes the reconnection and use of such equipment.

When any system is maintained in violation of this code, and in violation of any notice issued pursuant to the provisions of this section, the *code official* shall institute any appropriate action to prevent, restrain, correct or abate the violation.

## **SECTION 113 VIOLATIONS**

**113.1 General.** Any person who violates a provision of this code or fails to comply with any of the requirements thereof or who alters or repairs a building or structure 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, commits a civil

infraction and is subject to the provisions contained in § 1-15(f) of the City Code. Each day that a violation continues shall be deemed a separate offense.

13. **SECTIONS 114 STOP WORK ORDER** is deleted in its entirety and replaced with the following:

**SECTION 114 STOP WORK ORDER**

~~**[A] 114.1 Authority.** Where the *code official* finds any work regulated by this code being performed in a manner contrary to the provisions of this code or in a dangerous or unsafe manner, the *code official* is authorized to issue a stop work order.~~

~~**[A] 114.2 Issuance.** The stop work order shall be in writing and shall be given to the owner of the property, the owner's authorized agent or the person performing the work. Upon issuance of a stop work order, the cited work shall immediately cease. The stop work order shall state the reason for the order and the conditions under which the cited work is authorized to resume.~~

~~**[A] 114.3 Emergencies.** Where an emergency exists, the *code official* shall not be required to give a written notice prior to stopping the work.~~

~~**[A] 114.4 Failure to comply.** Any person who shall continue any work 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 subject to fines established by the authority having jurisdiction.~~

**SECTION 114 STOP WORK ORDER**

**114.1 General.** All items relating to stop work orders shall be as specified in Section of the adopted *International Building Code*, entitled "MEANS OF APPEALS."

14. **SECTION 304 FLOOD HAZARD AREAS** is deleted in its entirety and replaced with the following:

**SECTION 304 FLOOD HAZARD AREAS**

~~**304.1 General.** The provisions of Section 304 shall control the design and construction of pools and spas installed in *flood hazard areas*.~~

~~**[BS] 304.2 Determination of impacts based on location.** Pools and spas located in flood hazard areas indicated within the *International Building Code* or the *International Residential Code* shall comply with Section 304.2.1 or 304.2.2.~~

~~**Exception:** Pools and spas located in riverine flood hazard areas that are outside of designated floodways and pools and spas located in flood hazard areas where the source of flooding is tides, storm surges or coastal storms.~~

~~**[BS] 304.2.1 Pools and spas located in designated floodways.** Where pools and spas are located in designated floodways, documentation shall be submitted to the code official that demonstrates that the construction of the pools and spas will not increase the design flood elevation at any point within the jurisdiction.~~

~~**[BS] 304.2.2 Pools and spas located where floodways have not been designated.** Where pools and spas are located where design flood elevations are specified but floodways have not been designated, the applicant shall provide a floodway analysis that demonstrates that the proposed pool or spa and any associated grading and filling, will not increase the design flood elevation more than 1 foot (305 mm) at any point within the jurisdiction.~~

~~**[BS] 304.3 Pools and spas in coastal high-hazard areas and coastal A zones.** Pools and spas installed in coastal high-hazard areas and coastal A zones shall be designed and constructed in accordance with ASCE 24.~~

~~**[BS] 304.4 Protection of equipment.** Equipment shall be elevated to or above the design flood elevation.~~

~~**Exception:** Equipment for pools, spas and water features shall be permitted below the required elevation provided that the equipment is elevated to the highest extent practical, is anchored to prevent flotation and resist flood forces, and is protected to prevent water from entering or accumulating within the components during conditions of flooding.~~

~~**304.5 GFCI protection.** Electrical equipment installed below the design flood elevation shall be supplied by branch circuits that have ground-fault circuit interrupter protection for personnel.~~

## **SECTION 304 FLOOD HAZARD AREAS**

**304.1 Flood hazard areas.** For buildings or structures regulated under the scope of this code that are in whole or in part located in flood hazard areas, construction documents shall be submitted as established in accordance with Chapter 10 of the City Code, entitled "Flood Prevention and Protection."

**304.2 GFCI protection.** Electrical equipment installed below the design flood elevation shall be supplied by branch circuits that have ground-fault circuit interrupter protection for personnel.

15. **Section 403.1 Maximum bather load** and **TABLE 403.1 MAXIMUM BATHER LOAD** are deleted in their entirety and replaced with the following:

**403.1 Maximum bather load.** The maximum bather load of Class B and Class C pools shall be in accordance with Table 403.1.

<b>TABLE 403.1 MAXIMUM BATHER LOAD</b>			
<b>POOL/DECK AREA</b>	<b>SHALLOW INSTRUCTIONAL OR WADING AREAS</b>	<b>DEEP AREA (NOT INCLUDING THE DIVING AREA)</b>	<b>DIVING AREA (PER EACH DIVING BOARD)</b>
<del>Pools with minimum deck area</del>	<del>15 sq. ft. per user</del>	<del>20 sq. ft. per user</del>	<del>300 sq. ft.</del>
<del>Pools with deck area at least equal to water surface area</del>	<del>12 sq. ft. per user</del>	<del>15 sq. ft. per user</del>	<del>300 sq. ft.</del>
<del>Pools with deck area at least twice the water surface area</del>	<del>8 sq. ft. per user</del>	<del>10 sq. ft. per user</del>	<del>300 sq. ft.</del>
For SI: 1 square foot = 0.09 square meters.			

**403.1 Maximum bather load.** The maximum bather occupant load shall be in accordance with Section 1004 of the adopted *International Building Code*, entitled "Occupant Load."

16. **Section 410.1 Toilet facilities** is amended to read as follows:

**410.1 Toilet facilities.** Class A and B pools shall be provided with toilet facilities having the required number of plumbing fixtures in accordance with the *International Building Code* or the *International Plumbing Code*. Class C pools shall provide an exterior shower and a minimum of two single-user (gender neutral) restrooms, each with a water closet, lavatory, and shower.

Section 4. The codifier of the Code of the City of Fort Collins is hereby directed to amend all existing cross references in the City Code and the Land Use Code in accordance with the provisions of this ordinance.

Section 5. The City Attorney and the City Clerk are hereby authorized to modify the formatting and to make such other amendments to this Ordinance as necessary to facilitate publication in the Fort Collins City Code; provided, however, that such modifications and amendments shall not change the substance of the Code provisions.

Introduced, considered favorably on first reading on December 2, 2025, and approved on second reading for final passage on December 16, 2025.

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Mayor

ATTEST:

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City Clerk

Effective Date: December 26, 2025

Approving Attorney: Madelene Shehan

Exhibit:       Exhibit A – Notice of Publication