

## CERTIFICATION OF CLERK

I, Brenda K. Wolf, the duly appointed, qualified, and City Clerk of Manhattan, Kansas, do hereby certify that the foregoing Ordinance was duly adopted at a meeting of the City of Manhattan, Kansas, held on the 18<sup>th</sup> day of October, 2022, and that said Ordinance has been compared by me with the original thereof on file and of record in my office, is a true copy of the whole of said original.

**IN WITNESS WHEREOF**, I have hereunto set my hand and the seal of the City of Manhattan, Kansas, 19<sup>th</sup> day of October, 2022.



*Brenda K. Wolf*

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Brenda K. Wolf, CMC, City Clerk

## **ORDINANCE NO. 7610**

**AN ORDINANCE AMENDING CHAPTER 8, ARTICLE XVIII, OF THE CODE OF ORDINANCES, REGULATING SWIMMING POOLS AND SPAS WITHIN THE CORPORATE LIMITS OF THE CITY OF MANHATTAN, KANSAS; INCORPORATING BY REFERENCE THE “2021 INTERNATIONAL SWIMMING POOL AND SPA CODE,” WITH CERTAIN OMISSIONS, CHANGES AND ADDITIONS THERETO; AND REPEALING ALL ORDINANCES IN CONFLICT HEREWITH.**

**BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF MANHATTAN, KANSAS:**

**SECTION 1.** That Section 8-370 of Chapter 8 of the Code of Ordinances of the City of Manhattan, Kansas, is hereby amended to read as follows:

**Sec. 8-370. - Adoption of the International Swimming Pool and Spa Code.**

There is hereby incorporated by reference for the purpose of regulating all swimming pool and spa work done or performed within the corporate city limits of the City of Manhattan, Kansas that certain standard swimming pool and spa code known as the 2021 International Swimming Pool and Spa Code as recommended by the International Code Council, 500 New Jersey Avenue, NW 6<sup>th</sup> Floor, Washington, DC, 20001, save and except such articles, sections, parts, or portions thereof as are hereinafter omitted, deleted, modified or changed. No fewer than one (1) copy of such publication shall be marked or stamped “Official Copy as adopted by Ordinance No. 7610,” and shall be attached to a copy of this ordinance and filed with the city clerk and open for inspection and available to the public at all reasonable hours. All administrative departments of the city charged with enforcement of this code shall be supplied, at the cost of the city, such number of official copies, similarly marked, as may be deemed expedient.

**SECTION 2.** That Section 8-371 of Chapter 8 of the Code of Ordinances of the City of Manhattan, Kansas, is hereby amended to reads as follows:

**Sec. 8-371. - Amendments.**

The International Swimming Pool and Spa Code, adopted by Section 8-370, is hereby changed, altered, modified and otherwise amended as follows:

1. Section 101.1 of the International Swimming Pool and Spa Code is hereby changed to read as follows:

**Section 101.1 Title.**

These regulations shall be known as the Swimming Pool and Spa Code of Manhattan, Kansas, hereafter referred to as “this code.”

2. Section 103.1 of the International Swimming Pool and Spa Code is hereby changed to read as follows:

**Section 103.1 Creation of Agency.**

The Risk Reduction Division of the City of Manhattan Fire 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.

3. Section 105.6.2 of the International Swimming Pool and Spa Code is hereby deleted.
4. Section 105.6.3 of the International Swimming Pool and Spa Code is hereby deleted.
5. Section 107.4 of the International Swimming Pool and Spa Code is hereby changed to read as follows:

**Section 107.4 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 work 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 misdemeanor, punishable by a fine of not more than five hundred dollars (\$500) or by imprisonment not exceeding one hundred eighty days (180), or by both such fine and imprisonment. Each day that a violation continues shall be deemed a separate offense.

6. Section 111 of the International Swimming Pool and Spa Code is hereby deleted.
7. Section 112 of the International Swimming Pool and Spa Code is hereby deleted.
8. Section 114.1 of the International Swimming Pool and Spa Code is hereby changed to read as follows:

**Section 114.1 Authority.**

Where the building official finds any work regulated by this code being performed in a manner contrary to the provisions of this code, in a dangerous or unsafe manner, or in violation of any City Ordinance, the building official is authorized to issue a stop work order.

9. Section 114.4 of the International Swimming Pool and Spa Code is hereby changed to read as follows:

**Section 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 a fine of not less than one hundred dollars (\$100) or more than five hundred dollars (\$500.00), or imprisonment for a term not to exceed one hundred eighty (180) days, or by both fine and imprisonment, at the discretion of the court. Each day that a violation continues after due notice has been served, in accordance with the terms and provisions hereof, shall be deemed a separate offense.

10. Section 320.1 of the International Swimming Pool and Spa Code is hereby changed to read as follows:

**Section 320.1 Backwash water or draining water.**

Backwash water and draining water shall be discharged to the sanitary sewer or into an approved disposal system on the premise or shall be disposed of by other means approved by the state or local authority. Direct connections shall not be made between the end of the backwash line and the disposal system. Drains shall discharge through an air gap.

**SECTION 3.** Ordinance No. 7431 and all other ordinances, or portions thereof, in conflict herewith are hereby repealed.

**SECTION 4.** This ordinance shall be published once in the official City newspaper and shall take effect on January 1, 2023.

**PASSED BY THE GOVERNING BODY OF THE CITY OF MANHATTAN, KANSAS,  
THIS 18<sup>TH</sup> DAY OF OCTOBER, 2022.**

  
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Linda Morse, Mayor

ATTEST:

  
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Brenda K. Wolf, CMC, City Clerk



(PUBLISHED IN *THE MANHATTAN MERCURY* ON OCTOBER 22, 2022)

**ORDINANCE NO. 7610 SUMMARY**

On October 18, 2022 the City of Manhattan, Kansas adopted the following ordinance:

**AN ORDINANCE AMENDING CHAPTER 8, ARTICLE XVIII, OF THE CODE OF ORDINANCES, REGULATING SWIMMING POOLS AND SPAS WITHIN THE CORPORATE LIMITS OF THE CITY OF MANHATTAN, KANSAS; INCORPORATING BY REFERENCE THE “2021 INTERNATIONAL SWIMMING POOL AND SPA CODE,” WITH CERTAIN OMISSIONS, CHANGES AND ADDITIONS THERETO; AND REPEALING ALL ORDINANCES IN CONFLICT HEREWITH.**

The Ordinance amends the 2021 International Swimming Pool and Spa Code and makes certain amendments to that code, all effective January 1, 2023, as more specifically described in the Ordinance. The complete text of the Ordinance may be obtained or viewed free of charge at the office of the City Clerk, City Hall, 1101 Poyntz Ave., Manhattan, KS 66502, Monday – Friday, 8 a.m. – 5 p.m., and is available for at least one week following the publication date of this summary at [www.cityofmhk.com](http://www.cityofmhk.com). This Summary certified to be legally accurate and sufficient by City Attorney Katharine Jackson.

  
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City Attorney  
Date certified: 10/18/22