

CITY OF DAPHNE

ORDINANCE 2008 - 03

AN ORDINANCE PROVIDING FOR THE AMENDMENT OF ORDINANCE NO. 2007-23; PROVIDING FOR THE ADOPTION OF APPENDIX G OF THE ICC INTERNATIONAL RESIDENTIAL CODE, 2006 EDITION, BY REFERENCE

WHEREAS, the City Council of the City of Daphne desires to promote the health, safety and welfare of the citizens of the City of Daphne by establishing uniform rules and regulations for the design and construction of swimming pools, spas and hot tubs in or on the parcel of a one or two family dwelling within the City of Daphne; and

WHEREAS, the City Council of the City of Daphne recognizes that the procedures set forth hereafter will protect both the City of Daphne and its citizens and the owners of properties coming under the jurisdiction of this ordinance and made the subject of these procedures.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF DAPHNE, ALABAMA AS FOLLOWS:

SECTION I: That Ordinance Number 2007-23 be and is hereby amended by the inclusion within Section 1 of said Ordinance, subparagraph (f) to be entitled **TECHINICAL CODES-ADOPTION BY REFERENCE** which shall state:

APPENDIX G, INTERNATIONAL BUILDING CODE, 2006 EDITION – IS ADOPTED BY REFERENCE

- a.) For the purposes of establishing uniform rules and regulations, the Council hereby adopts by reference: Appendix G of the ICC International Building Code, 2006 Edition.
- b.) The above referenced Appendix is hereby adopted as the standard code of the City of Daphne as to swimming pools, spas, hot tubs and the barrier requirements of such.
- c.) Said Appendix G is hereby adopted and incorporated as fully as if set out at length herein, and from the date on which this section shall take effect, the provisions thereof shall be controlling in the construction or alteration, or repair of swimming pools, spas, and hot tubs and the barrier requirements of each in or n the lot of a one or two family dwelling.

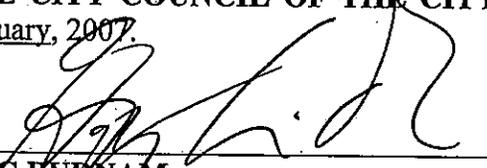
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SECTION II: CONFLICT WITH OTHER ORDINANCES. That any Ordinance heretofore adopted by the Council, which is in conflict with this Ordinance is hereby replaced to the extent of such conflict.

SECTION III: SEVERABILITY. The provisions of this Ordinance are severable. If any section, subsection, sentence, clause, phrase, or portion of this ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision and such holding shall not affect the validity of the remaining portions hereof.

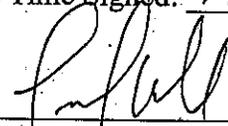
SECTION IV: EFFECTIVE DATE. This Ordinance shall be in full force and effect upon its adoption by the City Council of the City of Daphne and publication as required by law.

APPROVED AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF DAPHNE, ALABAMA on this 7th day of January, 2007.



GREG BURNAM
COUNCIL PRESIDENT

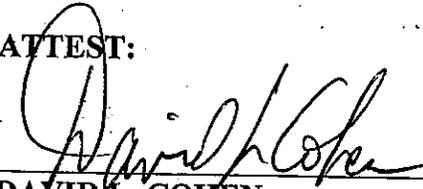
Date & Time Signed: 1-8-07 5:00 P.M.



FRED SMALL
MAYOR

Date & Time Signed: 1-11-08 08:58

ATTEST:



DAVID L. COHEN,
CITY CLERK, MMC