

**CITY OF STARBASE, TEXAS**

**ORDINANCE NO. 2025-05-29-MCLO-OR**

**AN ORDINANCE OF THE CITY OF STARBASE, TEXAS, ADOPTING THE 2018 INTERNATIONAL SWIMMING POOL AND SPA CODE PROMULGATED BY THE INTERNATIONAL CODE COUNCIL AS THE SWIMMING POOL AND SPA CODE; PROVIDING FOR INCORPORATION OF PREMISES; PROVIDING FOR A PENALTY; PROVIDING FOR SEVERABILITY; PROVIDING FOR A REPEALER; PROVIDING FOR ENGROSSMENT AND ENROLLMENT OF THIS ORDINANCE; AND PROVIDING FOR PUBLICATION AND AN EFFECTIVE DATE.**

**WHEREAS**, the City of Starbase, Texas (the "City"), is a Type C general-law municipality, incorporated pursuant to Chapter 8 of the Texas Local Government Code; and

**WHEREAS**, Section 51.001 of the Texas Local Government Code provides that "[t]he governing body of a municipality may adopt, publish, amend, or repeal an ordinance, rule, or policy regulation that . . . is necessary or proper for carrying out a power granted by law to the municipality or to an office or department of the municipality"; and

**WHEREAS**, Section 214.103 of the Texas Local Government Code provides that the International Swimming Pool and Spa Code promulgated by the International Code Council, Inc. as it existed on May 1, 2019, is adopted as the swimming pool and spa code in Texas, but a municipality may adopt a more recent version of the International Swimming Pool and Spa; and

**WHEREAS**, the City Commission of the City has investigated and determined it would be necessary and proper to adopt the 2018 edition of the International Swimming Pool and Spa Code as the City's Swimming Pool and Spa Code to protect public health, safety, and welfare.

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF STARBASE, TEXAS:**

**SECTION 1. Incorporation of Premises.** The premises set forth above are incorporated herein as if set forth verbatim.

**SECTION 2. Swimming Pool and Spa Code Adopted.** The 2018 International Swimming Pool and Spa Code promulgated by the International Code Council, Inc. is hereby adopted and designated as the official Swimming Pool and Spa Code of the City of Starbase, Texas, and is incorporated herein by reference.

**SECTION 3. Enforcement.** The Swimming Pool and Spa Code shall be enforced by the Building Official appointed by the City Commission.

**SECTION 4. Penalty.** Any person, firm, or corporation violating any of the provisions of this Ordinance shall be deemed guilty of a misdemeanor and upon conviction thereof shall be



punishable by a fine not to exceed \$2,000 for all violations involving fire safety, or public health and sanitation and shall be fined not more than \$500 for all other violations of this Ordinance. Each day or any portion thereof during which any violation of this Ordinance occurs or continues shall be deemed a separate offense and upon conviction thereof shall be punishable as herein provided.

**SECTION 5. Severability.** It is hereby declared to be the intention of the City Commission that the sections, paragraphs, sentences, clauses and phrases of this Ordinance are severable, and if any phrase, clause, sentence, paragraph or section of this Ordinance shall be declared unconstitutional by the valid judgment or decree of any court of competent jurisdiction, such unconstitutionality shall not affect any of the remaining phrases, clauses, sentences, paragraphs and sections of this Ordinance, since the same would have been enacted by the City Commission without the incorporation in this Ordinance of any such unconstitutional phrase, clause, sentence, paragraph or section.

**SECTION 6. Repealer.** This Ordinance shall be cumulative of all provisions of all ordinances of the City of Starbase, as amended, and shall not repeal any of the provisions of such ordinances, except in those instances where provisions of such ordinances are in direct conflict with the provisions of this Ordinance.

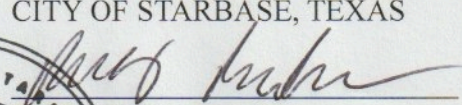
**SECTION 7. Engrossment/Enrollment.** The City Clerk is hereby directed to enroll and engross this Ordinance by reflecting the passage of this Ordinance in the minutes of the City Commission and by filing this Ordinance in the Ordinance Records of the City.

**SECTION 8. Publication.** The City Clerk is hereby directed to publish the caption, penalty clause, and effective date of this Ordinance as provided by law.

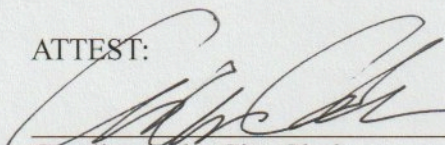
**SECTION 9. Effective Date.** This Ordinance shall become effective upon its passage and publication as required by law, and it is so ordained.

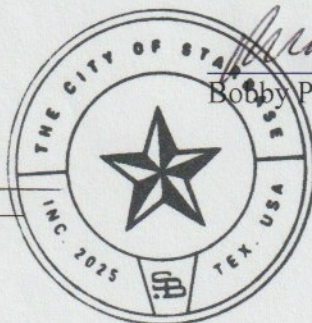
**PASSED AND APPROVED** by the City Commission of the City of Starbase, Texas, on this 29<sup>th</sup> day of May, 2025.

CITY OF STARBASE, TEXAS

  
Bobby Peden, Mayor

ATTEST:

  
Caroline Cole, City Clerk



APPROVED AS TO FORM:

  
Wm. Andrew Messer, City Attorney