

**ORDINANCE NO. 53**

**AN ORDINANCE OF THE CITY OF UNIVERSITY PLACE,  
WASHINGTON, ADOPTING BY REFERENCE CHAPTER 15.36,  
REGARDING CONSTRUCTION STANDARDS AND FENCING OF  
PRIVATE SWIMMING POOLS, OF THE PIERCE COUNTY  
CODE AS A REGULATION OF THE CITY**

WHEREAS, the City of University Place will incorporate on August 31, 1995;  
and

WHEREAS, the City will be contracting with Pierce County to provide police services to residents of the City at least on an interim basis during the post incorporation period; and

WHEREAS, Pierce County deputy sheriffs are familiar with the Pierce County Code; and

WHEREAS, allowing Pierce County deputy sheriffs to continue to enforce certain Pierce County Code provisions within the City after incorporation both promotes the public welfare and allows police officers to make an orderly transition to the enforcement of criminal codes which the City of University Place will enact after incorporation; and

WHEREAS, ensuring that private swimming pools are properly fenced is an appropriate exercise of the police power to protect the safety and welfare of residents of the City; NOW, THEREFORE,

**THE CITY COUNCIL OF THE CITY OF UNIVERSITY PLACE,  
WASHINGTON, DOES ORDAIN AS FOLLOWS:**

Section 1. Authority to adopt Pierce County Code. Pursuant to RCW 35A.12.140 and 35A.13.180, the City adopts by reference Chapter 15.36, of the Pierce County code, as presently constituted or hereinafter amended, as a regulation of the City.

Section 2. Adoption of Administrative Rules. There are hereby further adopted by reference any and all implementing and administrative rules and enforcement's remedies now in effect regarding Private Swimming Pools that have been adopted pursuant to Pierce County Code Title 2 and Chapter 15.36 except that, unless the context requires otherwise, any reference to the "County" or to "Pierce County" shall refer to the City of University Place, and any reference to County staff shall refer to the City Manager or designee.

Section 3. Adoption of Certain Other Laws. To the extent that any provision of the Pierce county Code, or any other law, rule or regulation referenced in the private

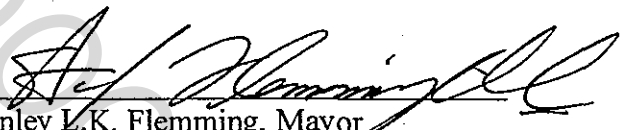
swimming pools chapters is necessary or convenient to establish the validity, enforceability of the private swimming pools chapters, then, such provision of the Pierce County Code and Chapter, or other law, rule or regulation, is hereby adopted by reference.

Section 4. Reference to Hearing Bodies. To the extent that the private swimming pools chapters refer to planning commissions, board of appeals, hearing examiner, or any other similar body, the City Council shall serve in all such roles, but retain the right to establish any one or more of such bodies, at any time and with out regard to whether any quasi-judicial or other matter is then pending.

Section 5. Severability. Should any section, paragraph, sentence, clause or phrase of this Ordinance, or its application to any person or circumstance, be declared unconstitutional or otherwise invalid for any reason, or should any portion of this Ordinance be preempted by state or federal law or regulation, such decision or preemption shall not affect the validity of the remaining portions of this Ordinance or its application to other persons or circumstances.

Section 6. Effective Date and Publication. A summary of this ordinance consisting of its title shall be published in the official newspaper of the City. This ordinance shall take effect and be in full force on the date of incorporation.

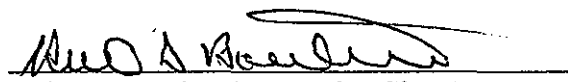
**PASSED BY THE CITY COUNCIL ON AUGUST 21, 1995**

  
Stanley L.K. Flemming, Mayor

**ATTEST:**

  
Susan Matthew, Interim City Clerk

**APPROVED AS TO FORM:**

  
Robert J. Backstein, Interim City Attorney

Date of Publication: August 24, 1995  
Effective Date: August 31, 1995