

CHAPTER 7. BUILDING

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Article 7-01 THE TOWN OF PRESCOTT VALLEY ADMINISTRATIVE CODE

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7-01-005 Title.

These regulations shall be known as the Town of Prescott Valley Administrative Code, may be cited as such and will be referred to herein as "this administrative code."

(Ord. No. 8, Enacted, 06/28/79; Ord. No. 14, Enacted, 10/25/79; Ord. No. 90, Enacted, 12/15/83; Ord. No. 90, Ren&Amd, 12/15/83, 7-05; Ord. No. 90, Rep&ReEn, 12/15/83; Ord. No. 154, Rep&ReEn, 08/27/87; Ord. No. 154, Ren&Amd, 08/27/87, 7-04-050; Ord. No. 178, Ren&Amd, 05/26/88, 7-02, 7-02-005 & 010; Ord. No. 178, Ren&Amd, 05/26/88, 7-05-010; Ord. No. 178, Ren&Amd, 05/26/88, 7-04-060; Ord. No. 237, Ren&Amd, 09/13/90, 7-02; Ord. No. 237, Ren&Amd, 09/13/90, 7-09; Ord. No. 237, Ren&Amd, 09/13/90, 7-08; Ord. No. 296, Rep&ReEn, 07/22/93; Ord. No. 375, Renumbered, 12/28/95, 7-01; Ord. No. 485, Amended, 05/25/00; Ord. No. 576, Rep&ReEn, 01/22/04; Ord. No. 713, Rep&ReEn, 03/13/08)

7-01-010 Purpose.

The purpose of this administrative code is to provide for the administration and enforcement of the technical codes and ordinances adopted by the Town of Prescott Valley.

(Ord. No. 237, Enacted, 09/13/90; Ord. No. 296, Rep&ReEn, 07/22/93; Ord. No. 485, Amended, 05/25/00; Ord. No. 576, Rep&ReEn, 01/22/04; Ord. No. 713, Rep&ReEn, 03/13/08)

7-01-020 Scope.

The provisions of this administrative code shall serve as the administrative, organizational and enforcement rules and regulations for the technical codes and ordinances which regulate site preparation and design, construction, alteration, movement, enlargement, replacement, repair, equipment, use and occupancy, location, maintenance, removal and demolition of buildings, structures and building service equipment within the Town of Prescott Valley.

(Ord. No. 10, Enacted, 07/12/79; Ord. No. 22, Enacted, 02/28/80; Ord. No. 36, Amended, 09/04/80; Ord. No. 38, Enacted, 09/25/80; Ord. No. 44, Amended, 10/23/80; Ord. No. 61, Amended, 09/24/81; Ord. No. 68, Amended, 03/25/82; Ord. No. 70, Amended, 06/10/82; Ord. No. 90, Rep&ReEn, 12/15/83; Ord. No. 90, Ren&Amd, 12/15/83, 7-07; Ord. No. 154, Ren&Amd, 08/27/87, 7-04-010; Ord. No. 154, Renumbered, 08/27/87, 7-06; Ord. No. 154, Ren&Amd, 08/27/87, 7-04-020; Ord. No. 178, Ren&Amd, 05/26/88, 7-04-010, 7-04-020; Ord. No. 178, Ren&Amd, 05/26/88, 7-07; Ord. No. 178, Ren&Amd, 05/26/88, 7-04-030, 7-04-030A; Ord. No. 237, Ren&Amd, 09/13/90, 7-05-010; Ord. No. 237, Ren&Amd, 09/13/90, 7-10; Ord. No. 237, Ren&Amd, 09/13/90, 7-05-020; Ord. No. 296, Rep&ReEn, 07/22/93; Ord. No. 485, Amended, 05/25/00; Ord. No. 540, Amended, 12/19/02; Ord. No. 576, Rep&ReEn, 01/22/04; Ord. No. 713, Rep&ReEn, 03/13/08)

7-01-030 Application to Existing Buildings and Building Service Equipment.

A. General. Buildings, structures and their building service equipment to which additions, alterations or repairs are made shall comply with all the requirements of the technical codes for new facilities except as specifically provided in this section. For purposes of those technical codes, installations or occupancies which are legally in existence on the effective date of those codes shall be permitted to continue, as described in subparagraphs C and D below, until such time as:

1. There is a change of occupancy or use classification; or
2. There is an addition or remodel which affects greater than fifty percent (50%) of the existing floor area; or
3. There is an addition or alteration which will result in the building or structure being more hazardous based on life safety, fire safety, or sanitation.

If a building permit for a structure under construction on the effective date of those technical codes expires or has expired, the provisions of Section 7-01-160(D) of this administrative code shall apply.

Determinations as to change of use or occupancy classification, percentage of affected square footage, and change in hazard under this provision shall be made by the building official.

B. Additions, Alterations or Repairs. Additions, alterations or repairs may be made to a building or its building service equipment without requiring the existing building or its building service equipment to comply with all the requirements of the technical codes, provided the addition, alteration or repair conforms to that required for a new building or building service equipment.

Additions or alterations shall not be made to an existing building or building service equipment which will cause the existing building or building service equipment to be in violation of the provisions of the technical codes nor shall such additions or alterations cause the existing building or building service equipment to become

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unsafe. An unsafe condition shall be deemed to have been created if an addition or alteration will cause the existing building or building service equipment to become structurally unsafe or overloaded; will not provide adequate egress in compliance with the provisions of the technical codes or will cause the existing building service equipment to become overloaded or exceed its rated capacity; will create a health hazard or will otherwise create conditions dangerous to human life. A building so altered, which involves a change in use or occupancy, shall not exceed the height, number of stories and area permitted by the technical codes for new buildings. A building plus new additions shall not exceed the height, number of stories and area specified by the technical codes for new buildings.

Additions or alterations shall not be made to an existing building or structure when the existing building or structure is not in full compliance with the provisions of the technical codes except when the addition or alteration will result in the existing building or structure being no more hazardous, based on life safety, fire safety and sanitation, than before such additions or alterations are undertaken.

EXCEPTION: Alterations of existing structural elements, or additions of new structural elements which are not required by subparagraph D and which are initiated for the purpose of increasing the lateral-force-resisting strength or stiffness of an existing structure need not be designed for forces conforming to these regulations provided that an engineering analysis is submitted to show that:

1. The capacity of existing structural elements required to resist forces is not reduced, and
2. The lateral loading to required existing structural elements is not increased beyond their capacity, and
3. New structural elements are detailed and connected to the existing structural elements as required by these regulations, and
4. New or relocated nonstructural elements are detailed and connected to existing or new structural elements as required by these regulations, and
5. An unsafe condition as defined above is not created.

Where repairs are made to structural elements of an existing building or its building services equipment and uncovered structural elements are found to be unsound or otherwise structurally deficient, such elements shall be made to conform to the requirements for a new building or building service equipment.

Alterations or repairs to an existing building or structure which are nonstructural and do not adversely affect a structural member or a part of the building or structure having required fire resistance may be made with the same materials of which the building or structure is constructed, subject to approval by the building official. Installation or replacement of glass shall be as required for new installations.

Minor additions, alterations and repairs to existing building service equipment installations may be made in accordance with the technical codes in effect at the time

the original installation was made, subject to approval of the building official, and provided such additions, alterations and repairs will not cause the existing building service equipment to become unsafe, unsanitary or overloaded.

- C. Existing Installations. Building service equipment lawfully in existence at the time of the adoption of the technical codes may have their use, maintenance or repair continued if the use maintenance or repair is in accordance with the original design and a hazard to life, health or property has not been created by such building service equipment.
- D. Existing Occupancy. Buildings in existence at the time of the adoption of the technical codes may have their existing use or occupancy continued if the use or occupancy was legal at the time of the adoption of the technical codes, and provided continued use is not dangerous to life, health and safety.

A change in the use or occupancy of any existing building or structure shall comply with the provisions of Section 7-01-190 of this administrative code and Section 3406 of the International Building Code (as hereinafter adopted and amended by Chapter 7 of the Prescott Valley Town Code).

- E. Maintenance. Buildings, structures and building service equipment, existing and new, and parts thereof shall be maintained in a safe and sanitary condition. Devices or safeguards which are required by the technical codes shall be maintained in conformance with the technical code under which installed. The owner or the owner's designated agent shall be responsible for the maintenance of buildings, structures and their building service equipment. To determine compliance with this section, the building official may cause a structure to be reinspected.
- F. Moved Buildings. Buildings, structures and their building service equipment moved into or within the Town of Prescott Valley shall comply with the provisions of the technical codes for new buildings or structures and their building service equipment.
- G. Temporary Structures and Uses:
 - 1. General. The building official may issue a permit for temporary structures and temporary uses. Such permits shall be limited as to time of service, but shall not be permitted for more than 180 days. The building official is authorized to grant extensions for demonstrated cause. This includes portable trash bins of three (3) yards or more placed on property.
 - 2. Conformance. Temporary structures and uses shall conform to the structural strength, fire safety, and means of egress, accessibility, light, ventilation and sanitary requirements of the technical codes as necessary to ensure the public health, safety and general welfare.
 - 3. Temporary Power. The building official may give permission to temporarily supply and use power in part of an electrical installation before such installation has been fully completed and the final certificate of completion has been issued. The part covered by the temporary certificate shall comply with the requirements specified for temporary lighting, heat or power in the

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National Electrical Code (as hereinafter adopted and amended by Chapter 7 of the Prescott Valley Town Code).

4. Termination of Approval. The building official may terminate such permit for a temporary structure or use and order the temporary structure or use to be discontinued.
5. Historic Buildings. Repairs, alterations and additions necessary for the preservation, restoration, rehabilitation or continued use of a building, structure, or its building service equipment may be made without conforming to the requirements of the technical codes when authorized by the building official, provided:
 - a. Buildings designated by the Arizona State Historic Preservation Office as having special historical or architectural significances shall be in accordance with State Administrative Code R12-8-306.
 - b. Unsafe conditions as described in this administrative code are corrected.
 - c. The restored building or structure and its building service equipment will be no more hazardous based on life safety, fire safety and sanitation than the existing building.
6. Other Laws. The provisions of this administrative code shall not be deemed to nullify any provisions of local, state or federal law.

(Ord. No. 8, Enacted, 06/28/79; Ord. No. 17, Enacted, 12/13/79; Ord. No. 29, Amended, 06/12/80; Ord. No. 41, Amended, 10/07/80; Ord. No. 90, Renumbered, 12/15/83, 7-06; Ord. No. 90, Renumbered, 12/15/83, 7-01-020; Ord. No. 90, Ren&Amd, 12/15/83, 7-06; Ord. No. 90, Rep&ReEn, 12/15/83; Ord. No. 154, Ren&Amd, 08/27/87, 7-03-020; Ord. No. 154, Ren&Amd, 08/27/87, 7-03-010; Ord. No. 154, Ren&Amd, 08/27/87, 7-03-020; Ord. No. 154, Ren&Amd, 08/27/87, 7-04-030; Ord. No. 178, Rep&ReEn, 05/26/88; Ord. No. 178, Ren&Amd, 05/26/88, 7-03-020, 7-03-030; Ord. No. 178, Ren&Amd, 05/26/88, 7-03-015; Ord. No. 178, Ren&Amd, 05/26/88, 7-04-040; Ord. No. 237, Ren&Amd, 09/13/90, 7-03-010; Ord. No. 237, Ren&Amd, 09/13/90, 7-03-020; Ord. No. 237, Ren&Amd, 09/13/90, 7-04; Ord. No. 237, Ren&Amd, 09/13/90, 7-06; Ord. No. 254, Amended, 03/11/91; Ord. No. 268, Amended, 12/12/91; Ord. No. 282, Amended, 10/22/92; Ord. No. 296, Rep&ReEn, 07/22/93; Ord. No. 485, Amended, 05/25/00; Ord. No. 498, Amended, 04/12/01; Ord. No. 576, Rep&ReEn, 01/22/04; Ord. No. 713, Rep&ReEn, 03/13/08; Ord. No. 788, Amended, 04/24/14)

7-01-040 Definitions.

- A. For the purpose of this administrative code, certain terms, phrases, words and their derivatives shall be construed as specified in this section. A definition contained in a specific technical code shall be construed to apply to that code. Where terms are not defined through the methods authorized by this chapter, such terms shall have ordinarily accepted meanings such as the context implies. Webster's Third New International Dictionary of the English Language, Unabridged, shall be considered as providing ordinarily accepted meanings, and terms shall have their ordinarily accepted meanings within the context with which they are used.
- B. The following definitions apply:

1. Addition: An extension or increase in floor area or height of a building or structure.
2. Alter or Alteration: Any change, modification, construction or renovation to an existing structure or building service equipment other than repair or addition.
3. Approved: Approval by the building official of materials, types of construction, equipment and systems as the result of investigation and tests conducted by the building official, or by reason of accepted principles or tests by recognized authorities, technical or scientific organizations.
4. Approved Agency: An established and recognized agency regularly engaged in conducting tests or furnishing inspection services, when such agency has been approved by the building official.
5. Building: Any structure used or intended for supporting or sheltering any use or occupancy.
6. Building Code: The International Building Code promulgated by the International Code Council, as adopted and amended by the Town of Prescott Valley.
7. Building, Existing: A building erected prior to the adoption of this administrative code, or one for which a legal building permit has been issued.
8. Building Official: The officer charged with the administration and enforcement of this administrative code and the technical codes, his designee or duly authorized representative.
9. Building Service Equipment: The plumbing, mechanical, electrical and elevator equipment, including piping, wiring, fixtures and other accessories which provide sanitation, lighting, heating, ventilation, cooling, refrigeration, fire-fighting and transportation facilities essential to the occupancy of the building or structure for its designated use.
10. Code Enforcement Agency: Whenever the term or title "code enforcement agency" is used herein or in any of the technical codes, it shall be construed to refer to the Prescott Valley Community Development Department.
11. Electrical Code: The National Electrical Code promulgated by the National Fire Protection Association, Inc. as adopted and amended by the Town of Prescott Valley.
12. Fuel Gas Code: The International Fuel Gas Code promulgated by the International Code Council, as adopted and amended by the Town of Prescott Valley.
13. Jurisdiction: A state or political subdivision which adopts this administrative code for administrative regulations within its area of authority.

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14. **Listed/Listing:** Terms referring to equipment and materials included in a list published by an approved testing laboratory, inspection agency or other organization concerned with product evaluation that maintains periodic inspection of current productions of listed equipment or materials. The published list shall state that the material or equipment complies with approved nationally recognized codes, standards or tests and has been tested or evaluated and found suitable for use in a specified manner.
15. **Master Plan:** A single set of pre-approved construction blueprints and related documents for a specific structure to be built repeatedly on different lots. These plans include different elevations and options. Master Plans will only be allowed for residential projects of detached single family dwellings and their accessory attached/detached related service equipment systems. A Master Plan is only valid for the current adopted technical codes under which such was approved.
16. **Mass-graded Lot:** A tract or lot located in a subdivision/unit or project area where the developer's engineer has designed a drainage and grading plan for the entire subdivision/unit or project area, rather than for each individual tract or lot, and for which this area-wide engineered plan has been reviewed and approved by the Town. In addition, the developer's engineer, at the completion of construction on each tract or lot, is responsible to certify that the as-built condition of the construction on each lot is in full compliance with the approved area drainage and grading plan as well as with all applicable Town and technical code regulations.
17. **Mechanical Code:** The International Mechanical Code promulgated by the International Code Council, as adopted and amended by the Town of Prescott Valley.
18. **Occupancy:** The purpose for which a building, or part thereof, is used or intended to be used.
19. **Owner:** Any person, agent, firm or corporation having a legal or equitable interest in the property.
20. **Permit:** An official document or certificate issued by the building official which authorizes performance of a specified activity.
21. **Person:** An individual, heirs, executors, administrators or assigns, as well as a firm, partnership or corporation, its or their successors or assigns, or the agent of any of the aforesaid.
22. **Plumbing Code:** The International Plumbing Code promulgated by the International Code Council, as adopted and amended by the Town of Prescott Valley.
23. **Private Sewage Disposal Code:** The International Private Sewage Disposal Code promulgated by the International Code Council, as adopted and amended by

the Town of Prescott Valley.

24. **Property Maintenance Code:** The International Property Maintenance Code promulgated by the International Code Council, as adopted and amended by the Town of Prescott Valley.
25. **Repair:** The reconstruction or renewal of any part of an existing building, structure or building service equipment for the purpose of its maintenance.
26. **Residential Code:** The International Residential Code for One-And Two-Family Dwellings promulgated by the International Code Council, as adopted and amended by the Town of Prescott Valley.
27. **Shall:** As used in this administrative code and the technical codes, the word "shall" is mandatory.
28. **Structure:** That which is built or constructed, an edifice or building of any kind, or any piece of work artificially built up or composed of parts joined together in some definite manner.
29. **Technical Codes:** Those codes adopted by the Town of Prescott Valley containing the provisions for design, construction, alteration, movement, enlargement, replacement, repair, equipment, use and occupancy, location, maintenance, removal and demolition of buildings and structures and building service equipment within the Town of Prescott Valley.
30. **Valuation/Value:** As applied to a building and its building service equipment, the terms "valuation" and "value" shall be the estimated cost to replace the building and its service equipment in kind, based on current replacement costs.

(Ord. No. 576, Enacted, 01/22/04; Ord. No. 601, Amended, 08/12/2004; Ord. No. 713, Rep&ReEn, 03/13/08; Ord. No. 788, Amended, 04/24/14)

7-01-050 Conflicting Provisions.

When conflicting provisions or requirements occur between this administrative code, the technical codes and other codes or laws, the most restrictive shall govern.

When conflicts occur between the technical codes, those provisions providing the greater safety to life shall govern. In other conflicts where sanitation, life safety or fire safety are not involved, the most restrictive provisions shall govern.

Where in a specific case different sections of the technical codes specify different materials, methods of construction or other requirements, the most restrictive shall govern. When there is a conflict between a general requirement and a specific requirement, the specific requirement shall be applicable.

When conflicts occur between specific provisions of this administrative code and provisions in a technical code which is then applicable within the Town of Prescott Valley, those provisions becoming the law most recently shall prevail.

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The National Electrical Code 2011, Handbook, as copyrighted and published by the National Fire Protection Association, Inc. may be used as a guide in interpreting the intent and application of the technical codes, including this administrative code, adopted in Chapter 7 of the Prescott Valley Town Code. [NOTE: other handbooks, which pertain to specific technical codes as published by the International Code Council, when available in the future may also be used after review by the building official and the Town Attorney].

(Ord. No. 576, Enacted, 01/22/04; Ord. No. 713, Rep&ReEn, 03/13/08; Ord. No. 788, Amended, 04/24/14)

7-01-060 Alternate Materials, Methods of Design and Methods of Construction.

- A. The provisions of the technical codes are not intended to prevent the installation of any material or to prohibit any design or method of construction not specifically prescribed by the technical codes, provided that any such alternative has been approved. An alternative material, design or method of construction shall be approved where the building official finds that the proposed design is satisfactory and complies with the intent of the provisions of the technical codes, and that the material, method or work offered is, for the purpose intended, at least the equivalent of that prescribed in the technical codes in quality, strength, effectiveness, fire resistance, durability and safety.
- B. Materials, equipment and devices approved by the building official shall be constructed and installed in accordance with such approval.
- C. The use of used materials, which meet the requirements of the technical codes for new materials, is permitted. Used equipment and devices shall not be reused unless approved by the building official.

(Ord. No. 576, Enacted, 01/22/04; Ord. No. 713, Rep&ReEn, 03/13/08)

7-01-070 Modifications.

Whenever there are practical difficulties involved in carrying out the provisions of the technical codes, the building official may grant modifications for individual cases. The building official shall first find that a special individual reason makes the strict letter of the technical code impractical and that such modification does not lessen health, life safety and fire safety requirements or any degree of structural integrity. The details of actions granting modifications shall be recorded and entered in the files of the building official.

(Ord. No. 576, Enacted, 01/22/04; Ord. No. 713, Rep&ReEn, 03/13/08)

7-01-080 Tests.

Whenever there is insufficient evidence of compliance with the provisions of the technical codes or evidence that materials or construction do not conform to the requirements of the technical codes, the building official may require tests as evidence of compliance to be made at no expense to the Town.

Test methods shall be as specified by the technical codes or by other recognized test standards. In the absence of recognized and accepted test methods, the building official shall determine the test procedures.

Tests shall be performed by an approved agency. Reports of such tests shall be retained by the building official for the period required for the retention of public records.

(Ord. No. 576, Enacted, 01/22/04; Ord. No. 713, Rep&ReEn, 03/13/08)

7-01-090 Powers and Duties of Building Official.

- A. General. The building official is hereby authorized and directed to enforce all the provisions of this administrative code and the referenced technical codes. For such purposes, the building official shall have the powers of a law enforcement officer.

The building official shall have the authority to render interpretations of this administrative code and the referenced technical codes, and to adopt and enforce rules and regulations supplemental to this administrative code as may be deemed necessary to clarify the application of the provisions of this administrative code. Such interpretations, rules and regulations shall be in conformity with the intent and purpose of this administrative code.

Whenever the term or title “administrative authority,” “responsible official,” “building official,” “chief inspector,” “code enforcement officer,” “code officer,” or other similar designation is used herein or in any of the technical codes, it shall be construed to mean the building official of the Town of Prescott Valley.

- B. Representatives. In accordance with prescribed procedures and with the approval of the appointing authority, the building official may appoint technical officers, inspectors and other employees as duly-authorized representatives as may be necessary to carry out the functions of the code enforcement agency.
- C. Right of Entry. When necessary to make an inspection to enforce any of the provisions of this administrative code and the technical codes, or when the building official has reasonable cause to believe that there exists in any building or upon a premises a condition which is contrary to, or in violation of, this administrative code or the technical codes which makes the building or premises unsafe, dangerous or hazardous, the building official is authorized to enter the building or premises at all reasonable times to inspect or to perform the duties imposed by this administrative code, provided that if such building or premises be occupied, that credentials be presented to the occupant and entry requested. If such building or premises be unoccupied, the building official shall first make a reasonable effort to locate the owner or other persons having charge or control of the building or premises and request entry. If entry is refused, the building official shall have recourse to the remedies provided by law to secure entry.
- D. Stop Work Orders. When work is being done contrary to the provisions of this administrative code, the technical codes, or other pertinent laws or ordinances

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implemented through the enforcement of this administrative code, the building official may order the work stopped by notice in writing served on persons engaged in the doing or causing such work to be done, and such persons shall forthwith stop the work until authorized by the building official to proceed with the work.

- E. **Occupancy Violations.** When a building or structure or building service equipment therein regulated by this administrative code and the technical codes is being used contrary to the provisions of such codes, the building official may order such use discontinued by written notice served on any person causing such use to be continued. Such person shall discontinue the use within the time prescribed by the building official after receipt of such notice to make the structure, or portion thereof, comply with the requirement of such codes.
- F. **Authority to Connect and Disconnect Utilities.** The building official shall have the authority to disconnect a utility service or energy supplied to the building, structure or building service equipment therein regulated by this administrative code or the technical codes in case of emergency where necessary to eliminate an immediate hazard to life or property. The building official shall, whenever possible, notify the serving utility, the owner and occupant of the building, structure or building service equipment of the decision to disconnect prior to taking such action, and shall notify such serving utility, owner and occupant of the building, structure or building service equipment, in writing, of such disconnection immediately thereafter.

No sewer, water, electrical, natural gas, or propane services or meters shall be connected for any new service by the utility providing sewer, water, electrical, natural gas, or propane service until clearance has been issued by the building official. Clearance shall not be issued until compliance with all appropriate provisions of the Prescott Valley Town Code (including the technical codes) has been verified by inspection. The building official may designate persons to provide such clearance (oral or written) to the utility providing sewer, water, electrical, natural gas, or propane service.

Furthermore, a Certificate of Occupancy (CO) will be issued only after all Prescott Valley zoning, engineering and building requirements are completed, or enforceable arrangements have been made with the appropriate Town departments for completion of those requirements. The building official may issue clearance for temporary sewer, water, electrical, natural gas, or propane service, or temporary occupancy if any non-compliance holding up permanent service or occupancy will not result in hazard to health, safety or welfare. If the building or structure is occupied prior to completion of the above requirements, or if a Temporary Certificate of Occupancy (TCO) is revoked by the building official, the building official may, at his option, order sewer, water, electrical, natural gas or propane service disconnected after due notice to the occupant and the affected utility.

- G. **Authority to Condemn Building Service Equipment.** When the building official ascertains that building service equipment regulated in the technical codes has become hazardous to life, health or property, or has become unsanitary, the building official shall order in writing that such equipment either be removed or restored to a safe or sanitary condition, as appropriate. The written notice itself shall fix a time limit for compliance with such order. Defective building service equipment shall not

be maintained after receiving such notice.

When such equipment or installation is to be disconnected, a written notice of such disconnection and causes therefore shall be given within 24 hours to the serving utility, the owner and occupant of such building, structure or premises.

When any building service equipment is maintained in violation of the technical codes and in violation of a notice issued pursuant to the provisions of this section, the building official shall institute appropriate action to prevent, restrain, correct or abate the violation.

- H. Connection After Order to Disconnect. Persons shall not make connections from an energy, fuel or power supply nor supply energy or fuel to building service equipment which has been disconnected or ordered to be disconnected by the building official or the use of which has been ordered to be disconnected by the building official until the building official authorizes the reconnection and use of such equipment.
- I. Liability. The building official or employee charged with the enforcement of this administrative code and the technical codes, while acting for the Town in good faith and without malice in the discharge of the duties required by this administrative code and the technical codes or other pertinent laws or ordinances, shall not thereby be rendered personally liable 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 an act or omission in the discharge of official duties. Any suit instituted against an officer or employee because of an act performed by that officer or employee in the lawful discharge of duties and under the provisions of this administrative code and the technical codes shall be defended by a legal representative of the Town until the final termination of the proceedings, and any judgment resulting therefrom shall be assumed by the Town.

This administrative code shall not be construed to relieve from or lessen the responsibility of any person owning, operating or controlling a building, structure or building service equipment therein for damages to persons or property caused by defects, nor shall the Town be held as assuming such liability by reason of the inspections authorized by this administrative code or permits or certificates issued under this administrative code.

- J. Cooperation of Other Officials and Officers. The building official may request, and shall receive, the assistance and cooperation of Town officials so far as is required in the discharge of the duties required by this administrative code, the technical codes or other pertinent laws or ordinances.
- K. Recording Notices of Violation. The building official or a designee may record notices of violation of this administrative code and the technical codes in the Office of the Yavapai County Recorder. Such notices of violation shall run with the land and shall constitute notice for all purposes of this Chapter to all persons or entities thereafter acquiring an interest in the property. Failure to record any notice otherwise given by the building official under this Chapter shall not affect the validity of said notice as to persons who actually receive the same. When property is brought into compliance, the building official (or designee) may record a satisfaction of notice of violation in

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the Office of the Yavapai County Recorder with or without a request by any holder of an interest in said property.

(Ord. No. 576, Enacted, 01/22/04; Ord. No. 713, Rep&ReEn, 03/13/08; Ord. No. 743, Amended, 03/25/10)

7-01-100 Unsafe Buildings, Structures or Building Service Equipment.

- A. Buildings or structures regulated by this administrative code and the technical codes which are structurally inadequate or have inadequate egress, or which constitute a fire hazard, or are otherwise dangerous to human life are, for the purpose of this section, unsafe buildings.
- B. Building service equipment regulated by such codes, which constitutes a fire, electrical or health hazard, or an unsanitary condition or is otherwise dangerous to human life is, for the purpose of this section, unsafe.
- C. Use of buildings, structures or building service equipment constituting a hazard to safety, health or public welfare by reason of inadequate maintenance, dilapidation, obsolescence, fire hazard, disaster, damage or abandonment is, for the purpose of this section, an unsafe use.
- D. Parapet walls, cornices, spires, towers, tanks, statuary and other appendages or structural members which are supported by, attached to, or a part of a building and which are in a deteriorated condition or otherwise unable to sustain the design loads which are specified in the technical codes are hereby designated as unsafe building appendages.
- E. Unsafe buildings, structures or appendages and building service equipment are declared to be public nuisances and shall be abated by repair, rehabilitation, demolition or removal in accordance with the procedures set forth in the International Property Maintenance Code (as hereinafter adopted and amended by Chapter 7 of the Prescott Valley Town Code). As an alternative, the building official or other Town employee or official, as designated by Council, may institute other appropriate action to prevent, restrain, correct or abate the violation.

(Ord. No. 576, Enacted, 01/22/04; Ord. No. 713, Rep&ReEn, 03/13/08)

7-01-110 Board of Appeals.

- A. General. A Board of Appeals is hereby created and shall consist of seven (7) voting members appointed by, and serving at the pleasure of, the Mayor and Common Council. Four (4) members shall serve for a two-year term and three (3) members for a one-year term upon establishment of the Board. Thereafter, every term shall be for two (2) years. The Board shall consist of representatives of the following professions or trades to the extent persons meeting the qualifications are available and willing to serve, and are residents of the Town of Prescott Valley:

- 1. An architect duly licensed by the State of Arizona.

2. A professional engineer duly licensed by the State of Arizona.
 3. A general contractor duly licensed by the State of Arizona.
 4. A person generally representing the public.
 5. A person engaged in the electrical, mechanical or plumbing trades.
 6. Additional members engaged in the construction, design, real estate, or development industries (from representative areas of the Town).
- B. Chairman and Vice Chairman. A Chairman and Vice-Chairman shall be elected by the Board from its membership to serve a one-year term. Each may vote on all questions presented. The Chairman shall preside over all Board meetings. In the event of his absence, the Vice-Chairman shall preside. Conduct of meetings shall be according to Robert's Rules of Order.
- C. Secretary. A Secretary shall be elected by the Board from its membership to serve a one-year term. The Secretary may vote on all questions presented. The Secretary shall prepare and record the minutes and decisions of the Board and shall perform such other duties as are established by the Board.
- D. Removal of Members. A member shall not be absent from Board of Appeals regular meetings for more than three (3) consecutive times without a reasonable excuse. After an absence of three (3) consecutive meetings, the remaining members of the Board of Appeals may vote to retain or recommend to the Council that the absentee member be relieved of his duties on the Board.
- E. Authority. The Board shall hear and decide appeals from the orders, requirements or decisions of the building official in the enforcement of this Chapter by any affected person, firm, corporation or political subdivision. The Board shall determine if there is error in such orders, requirements or decisions, and may reverse, affirm (wholly or in part), or modify said orders, requirements or decisions, only by a concurring vote of a majority of the total number of appointed Board members. In so doing, the Board shall interpret the technical codes adopted by the Town, except that it shall not interpret the administrative provisions of this administrative code. The Board is not authorized to waive the requirements of the technical codes or this administrative code. Ordinarily, no appeal should be heard by the Board unless one (1) member from the affected profession or trade is present. An exception may be made for emergencies or if the requirement is waived by the appellant(s). The decisions and findings of the Board shall be in writing, directed to the building official and appellant(s).
- F. Advisory Capacity. At the request of the building official, the Board of Appeals may also serve as an advisory board to the building official on questions of code interpretation and needed amendments to the technical codes.
- G. Appeal Procedure. Any appeal by a person, firm, corporation or political subdivision from an order, requirement or decision of the building official in the enforcement of Chapter shall proceed as follows:

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1. The appellant(s) shall file an application for review on forms provided by the building official, accompanied by a fee of fifty dollars (\$50.00).
2. The application shall be filed within twenty (20) days after the day the order, requirement or decision was served.
3. The application shall include a written description of the dispute and the remedy requested, along with a listing of relevant facts.
4. The Board shall meet to consider the appeal in a public hearing within twenty (20) working days of filing. Notice of the hearing shall be given to the appellant(s) at least five (5) working days prior to the hearing date. Hearings shall generally be held on the second (2nd) Wednesday of the month, unless the building official approves a different date.
5. At the hearing, the appellant(s), his/their representative(s), and any other person(s) whose interest(s) may be affected by the matter on appeal, shall be given the opportunity to be heard. In the event such persons have adverse interest, they or their representatives shall be given a reasonable opportunity to respond to statements by adverse persons.

(Ord. No. 576, Enacted, 01/22/04; Ord. No. 713, Rep&ReEn, 03/13/08, Ord. No. 743 Amended, 03/25/10)

7-01-120 Violations.

It shall be unlawful for any person, firm, corporation or political subdivision to erect, construct, reconstruct, enlarge, alter, repair, move, improve, remove, convert, demolish, equip, use, occupy or maintain any building, structure or building service equipment, or cause or permit the same to be done, in violation of the technical codes (including this administrative code).

(Ord. No. 576, Enacted, 01/22/04; Ord. No. 713, Rep&ReEn, 03/13/08)

7-01-130 Penalties and Remedies.

- A. **Criminal Penalties.** Any person found guilty of violating any provision of Chapter 7 "Building" of the Prescott Valley Town Code shall be guilty of a class 1 misdemeanor, and upon conviction thereof may be punished by a fine not to exceed TWO THOUSAND FIVE HUNDRED DOLLARS (\$2,500.00), or by imprisonment for a period not to exceed SIX (6) MONTHS, or by both such fine and imprisonment. Such surcharges as may be required by law may also be added. Each day a violation continues shall be a separate offense punishable as hereinabove described.
- B. **Civil Penalties.** Any violation of the provisions of this administrative code shall also constitute a civil offense, and any person who is served with a citation charging such violation and who admits, or is found responsible for such offense shall be liable to pay to the Town a civil sanction not to exceed TWO HUNDRED FIFTY DOLLARS (\$250.00). Such civil citation shall be issued and processed in accordance with Article 1-08 of the Town Code. Each day that a violation continues shall be a separate offense, except as

otherwise provided, punishable as described herein.

C. Remedies. With regard to these remedies for violations:

1. All remedies provided herein shall be cumulative and not exclusive;
2. The imposition of penalties (criminal or civil) on any person(s) hereunder shall not relieve such person(s) from the responsibility of correcting violations or removing prohibited structures or improvements, and shall not preclude enforced correction, abatement or removal of violations; and
3. If any building or structure is erected, constructed, reconstructed, enlarged, altered, repaired, moved, improved, removed, converted, demolished, equipped, used, occupied or maintained in violation of the provisions of Chapter 7 "Building" of the Prescott Valley Town Code, the Town Council, the Town Manager, the Town Attorney, the building official, or any adjacent or neighboring real property owner who is specially damaged by the violation, may seek an injunction, mandamus, prohibition, abatement, or take other appropriate legal or administrative action to prevent, abate, or remove the violation.

(Ord. No. 576, Enacted, 01/22/04; Ord. No. 614, Amended, 02/10/05; Ord. No. 713, Rep&ReEn, 03/13/08)

7-01-140 Permits and Inspections.

- A. Permits Required. Except as specified in subparagraph B of this Section, no building, structure or building service equipment regulated by the technical codes, including this administrative code, shall be erected, constructed, reconstructed, enlarged, altered, repaired, moved, improved, removed, converted or demolished unless a separate appropriate permit for each building, structure or building service equipment has first been obtained from the building official. This requirement includes, but is expressly not limited to, obtaining an appropriate permit for construction, installation or alteration of all fences, retaining walls, fireplaces, wood stoves, and other gas, electric, or solid fuel burning appliances and equipment. This requirement is also in addition to any zoning, subdivision and/or engineering approvals and permits required in the technical codes or elsewhere in this Code.

Prior to issuance of each such building permit, the building official may require that engineering be provided by the applicant, including off-site engineering. No building permit shall be issued prior to the building official receiving, reviewing, and approving a Sewer Connection Plan which shows the location and depth of any present or proposed adjacent public sewer on the property, the proposed location of the building sewer on the property, the ability to connect by gravity flow or otherwise to a present or proposed public sewer, and which otherwise complies with CHAPTER 7, SANITARY DRAINAGE, of the International Plumbing Code (as hereinafter adopted and amended by Chapter 7 of the Prescott Valley Town Code).

Furthermore, at the time of application for a building permit involving the construction of any new building or installation of any mobile home, manufactured

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home, or factory-built (modular) building in any zoning district within the Town, the applicant shall show the proposed location of culverts for all driveway accesses across roadside bar ditches. Upon approval, the Town Engineer shall issue a culvert installation permit indicating the required size of culverts based on ditch elevation and expected water flow. Culvert installations shall be inspected at the time of excavation or foundation, and no excavation or foundation approval for any new building, mobile home, manufactured home, or factory-built (modular) building shall be issued by the building official unless culvert installations conform to these requirements.

- B. Work Exempt from Permit. A building permit shall not be required for the types of work in each of the separate classes of permit listed below. Exemption from building permit requirements shall not be deemed to be an exemption from zoning or engineering permit requirements, nor shall it be deemed to grant authorization for any work to be done in violation of the provisions of the technical codes or any other provisions of the Town Code. Unless otherwise exempted, separate plumbing, electrical, and mechanical permits shall be required for these exempted classes where applicable.
- C. Building Permits. A building permit shall not be required for the following:
1. One-story detached accessory buildings used in conjunction with one and two family dwellings only as tool and storage sheds, playhouses and similar uses, provided the projected roof area does not exceed one hundred forty-four (144) square feet, and provided such accessory buildings comply with the applicable zoning requirements. Such accessory buildings are still subject to inspection by the building official for compliance with the technical codes.
 2. Masonry or concrete fences not over four (4) feet in height and wood fences or other material fences not over six (6) feet in height. A zoning permit is required.
 3. Oil derricks.
 4. Movable cases, counters and partitions not over five (5) feet nine (9) inches high.
 5. Retaining walls which are not over four (4) feet in height, measured from the top of the footing to the top of the wall, unless supporting a surcharge or impounding flammable liquids.
 6. Water tanks supported directly on grade if the capacity does not exceed five thousand (5,000) gallons and the ratio of height to diameter or width does not exceed two to one (2:1).
 7. Platforms, walks, driveways and outside non-structural paving and flat work not more than thirty (30) inches above grade, not over any basement or story below, not affecting Town right-of-way, and not part of an accessible route.
 8. Painting, papering, installation of floor covering, cabinet work, and similar

finish work.

9. Temporary motion picture, television and theater stage sets and scenery.
 10. Window awnings supported by an exterior wall of Group R, Division 3, and Group U Occupancies when projecting not more than fifty-four (54) inches.
 11. Prefabricated swimming pools accessory to a Group R, Division 3 Occupancy, in which the pool walls are entirely above the adjacent grade and the pool capacity does not exceed five thousand (5000) gallons; and fish ponds, reflective pools, or other decorative water containers with a wet surface area of one hundred (100) square feet or less and a maximum depth of eighteen (18) inches to the flood rim.
 12. Repairs which involve only replacement of component parts of existing work with similar materials for the purpose of maintenance, and which do not total over five hundred dollars (\$500.00) in value in any twelve (12) month period, and do not affect any electrical, plumbing, or mechanical installations. Repairs include any addition, change, or modification in construction, exit facilities, permanent fixtures or equipment.
 13. Swings and other playground equipment accessory to detached one- and two-family dwellings.
- D. Sign Permits. A sign permit shall not be required for the following signs as defined in Article 13-23 of the Prescott Valley Town Code:
1. A name plate sign.
 2. Temporary signs (except for banners and inflatable objects pursuant to Section 13-23-040(C)).
 3. Copy changes on reader panels.
 4. Minor repairs or repainting of any permitted sign.
- E. Plumbing Permits. A plumbing permit shall not be required for the following:
1. The stopping of leaks in drains, soil, waste or vent pipe, provided, however, that should any concealed trap, drain pipe, soil, waste or vent pipe become defective and it becomes necessary to remove and replace the same with new material, the same shall be considered as new work and a permit shall be procured and inspection made as provided in this administrative code.
 2. The clearing of stoppages, the repairing of leaks in pipes, valves or fixtures, and the removal and reinstallation of water closets, provided such repairs do not involve or require the replacement or rearrangement of valves, pipes or fixtures.
- F. Electrical Permits. An electrical permit shall not be required for the following:

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1. Portable motors or other portable appliances energized by means of a cord or cable having an attachment plug end to be connected to an approved receptacle when that cord or cable is permitted by the Electrical Code.
 2. Repair or replacement of fixed motors, transformers or fixed approved appliances of the same type and rating in the same location.
 3. Listed cord and plug connecting temporary decorative lighting.
 4. Repair or replacement of current-carrying parts of any switch, contactor or control device.
 5. Reinstallation of attachment plug receptacles, but not the outlets thereof.
 6. Repair or replacement of any overcurrent device of the required capacity in the same location.
 7. Repair or replacement of electrodes or transformers of the same size and capacity for signs or gas tube systems.
 8. Taping joints.
 9. Removal of electrical wiring.
 10. Temporary wiring for experimental purposes in suitable experimental laboratories.
 11. The wiring for temporary theater, motion picture or television stage sets.
 12. Electrical wiring, devices, appliances, apparatus or equipment operating at less than 25 volts and not capable of supplying more than 50 watts of energy.
 13. Installation, alteration or repair of electrical wiring, apparatus or equipment or the generation, transmission, distribution or metering of electrical energy or in the operation of signals or the transmission of intelligence by a public or private utility in the exercise of its function as a serving utility.
- G. Mechanical Permits. A mechanical permit shall not be required for the following:
1. Portable heating appliances.
 2. Portable ventilating appliances and equipment.
 3. A portable cooling unit.
 4. Steam, hot water or chilled water piping within any heating or cooling equipment or appliances regulated by the International Mechanical Code (as hereinafter adopted and amended by Chapter 7 of the Prescott Valley Town Code).

5. The replacement of any minor part that does not alter the approval of equipment or an appliance or make such equipment or appliance unsafe.
 6. A portable evaporative cooler.
 7. Self-contained refrigeration systems containing 10 pounds (4.5 kg) or less of refrigerant or actuated by motors of 1 horsepower (0.75 kW) or less.
 8. Refrigerating equipment which is part of the equipment for which a permit has been issued pursuant to the requirements of the technical codes.
- H. Fuel Gas Permits. A fuel gas permit shall not be required for the following:
1. Any portable heating appliance.
 2. Replacement of any minor part of equipment that does not alter approval of such equipment or make such equipment unsafe.

(Ord. No. 576, Enacted, 01/22/04; Ord. No. 713, Rep&ReEn, 03/13/08; Ord. No. 788, Amended, 04/24/14; Ord. No. 801, Amended, 02/12/15; Ord. No. 816, Amended, 05/26/16)

7-01-150 Application for Permit.

- A. Application. To obtain a permit, the applicant shall first file an application therefore in writing on a form furnished by the building official for that purpose. Every such application shall:
1. Identify and describe the work to be covered by the permit for which application is made.
 2. Describe the land on which the proposed work is to be done by legal description, street address or similar description that will readily identify and definitely locate the proposed building or work.
 3. Indicate the use or occupancy for which the proposed work is intended.
 4. Be accompanied by plans, diagrams, computations and specifications, and other data as required in subparagraph J of this Section.
 5. State the valuation of any new building or structure or any addition, remodeling or alteration to an existing building.
 6. Be signed by the applicant, or the applicant's authorized agent.
 7. Give other data and information as may be required by the Town of Prescott Valley.
- B. Action on Application. The building official shall examine or cause to be examined applications for permits and amendments thereto within a reasonable time after filing.

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If the application or the construction documents do not conform to the requirements of pertinent laws, the building official shall reject such application in writing, stating the reasons therefore. If the building official is satisfied that the proposed work conforms to the regulations of this administrative code and the technical codes as well as laws and ordinances applicable thereto, the building official shall issue a permit therefore as soon as practicable.

- C. 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. The building official is authorized to grant one extension of time not exceeding 180 days. The extension shall be requested in writing and justifiable cause demonstrated.
- D. Submittal Documents. Plans, specifications (including fireplaces and sewer ejector pump specifications), engineering calculations, diagrams, soil investigation reports, special inspection and structural observation programs, a survey of lot and boundary monuments and other data shall constitute the submittal documents and shall be submitted in one or more sets with each application for a permit.

When construction documents are required to contain a seal of a qualified registrant according to ARS §32-144 (State Board of Technical Registration), all mechanical and plumbing designs shall also contain a seal of a qualified registrant. The building official may require the applicant submitting such plans or other data to demonstrate that the State Board of Technical Registration does not require that the construction documents, as submitted, be prepared by a licensed professional. Where special conditions exist, the building official may require plans, computations and specifications to be prepared and designed by a qualified registrant.

EXCEPTION: The building official may waive the submission of plans, calculations, construction inspection requirements and other data if it is found that the nature of the work applied for is such that reviewing of plans is not necessary to obtain compliance with this administrative code and the technical codes.

- E. Information on Plans and Specifications. Plans and specifications shall be drawn to scale on substantial paper or cloth and shall be of sufficient clarity to indicate the location, nature and extent of the work proposed and show in detail that it will conform to the provisions of this administrative code, the technical codes and all relevant laws, ordinances, rules and regulations.

Plans for buildings of other than Group R, Division 3 and Group U Occupancies shall indicate how required structural and fire-resistive integrity will be maintained where penetrations will be made for electrical, mechanical, plumbing and communication conduits, pipes and similar systems.

The construction documents shall show in sufficient detail the location, construction, size, exit path, and character of all portions of the means of egress in compliance with the provisions of the technical codes. In all occupancies except Group R-2, R-3, and U, the plans and specifications shall designate the number of occupants to be accommodated on every floor and in all rooms and spaces.

- F. **Manufacturer's Installation Instructions.** Manufacturer's installation instructions, as required by this administrative code and/or the technical codes, shall be available on the job site at the time of inspection and may be required at plan review.
- G. **Examination of Documents.** The building official shall examine or cause to be examined the accompanying construction documents and shall ascertain by such examination whether the construction indicated and described is in accordance with the requirements of this administrative code, the technical codes and pertinent laws or ordinances. Such plans may be reviewed and approved by other departments of the Town of Prescott Valley and other agencies with jurisdiction in the area of public health and safety prior to permit issuance.
- H. **Review of Construction Documents.** When the building official issues a permit, the construction documents shall be designated "Reviewed for code compliance" by stamp or in writing. One set of the reviewed construction documents shall be retained by the building official. The other set shall be returned to the applicant, shall be kept at the project site and shall be open to inspection by the building official.
- I. **Previous Approvals.** This administrative code shall not require changes in the construction documents, construction or designated occupancy of a structure for which a lawful permit has been issued or otherwise lawfully authorized where the construction of same has been pursued in good faith within 180 days after the effective date of this administrative code and has not been abandoned.
- J. **Phased Approval.** The building official is authorized to issue a permit for the construction of foundations or any other part of a building or structure before the construction documents for the complete building or structure have been submitted, provided that adequate information and detailed statements have been filed in compliance with pertinent requirements of the technical codes as adopted by the Town of Prescott Valley. The holder of such permit for the foundation or other parts of a building or structure shall proceed at the holder's own risk with the building operation and without assurance that a permit for the entire structure or building will be granted.
- K. **Architect or Engineer of Record.** When it is required that documents be prepared by an architect or engineer, the building official may require the owner to engage and designate on the building permit application an architect or engineer who shall act as the architect or engineer of record. If the circumstances require, the owner may designate a substitute architect or engineer of record who shall perform all the duties required of the original architect or engineer of record. The building official shall be notified in writing by the owner if the architect or engineer of record is changed or is unable to continue to perform the duties.

The architect or engineer of record shall be responsible for reviewing and coordinating all submittal documents prepared by others, including deferred submittal items, for compatibility with the design of the building.
- L. **Deferred Submittals.** For the purposes of this section, deferred submittals are defined as those portions of the design which are not submitted at the time of the application

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and which are to be submitted to the building official within a specified period.

Deferral of any submittal items shall have prior approval of the building official. The architect or engineer of record shall list the deferred submittals on the plans and shall submit the deferred submittal documents for review by the building official.

Submittal documents for deferred submittal items shall be submitted to the architect or engineer of record who shall review them and forward them to the building official with a notation indicating that the deferred submittal documents have been reviewed and found to be in general conformance with the design of the building. The deferred submittal items shall not be installed until their design and submittal documents have been approved by the building official.

- M. Amended Construction Documents. Work shall be installed in accordance with the approved construction documents, and any changes made during construction that are not in compliance with the approved construction documents shall be resubmitted for approval as an amended set of construction documents.

EXCEPTION: The building official may waive the submittal of amended construction documents if it is found that the nature of the changes are such that review of amended plans is not necessary to obtain compliance with the technical codes as adopted by the Town of Prescott Valley.

- N. Retention of Construction Documents. One set of approved construction documents shall be retained by the building official for a period of not less than 90 days from the date of completion of the permitted work [for which a certificate of occupancy is issued as per Section 7-01-190(C) of this administrative code] or as required by state or local laws, whichever is more restrictive.

- O. Inspection and Observation Program. When special inspection is required by the technical codes, the architect or engineer of record shall prepare an inspection program which shall be submitted to the building official for approval prior to issuance of the building permit. The inspection program shall designate the portions of the work to have special inspection, the name or names of the individuals or firms who are to perform the special inspections and shall indicate the duties of the special inspectors.

When structural observation is required by the technical codes, the inspection program shall name the individuals or firms who are to perform structural observation and shall describe the stages of construction at which structural observation is to occur.

The special inspector shall be employed by the owner, the engineer or architect of record, or an agent of the owner, but not the contractor or any other person responsible for the work.

The inspection program shall include samples of inspection reports and provide time limits for submission of reports.

(Ord. No. 576, Enacted, 01/22/04; Ord. No. 713, Rep&ReEn, 03/13/08)

7-01-160 Permit Issuance.

- A. Issuance. The application, plans, specifications, computations and other data filed by an applicant for permit shall be reviewed by the building official. Such plans may be reviewed by other departments of the Town of Prescott Valley to verify compliance with applicable laws. If the building official finds that the work described in an application for a permit and the plans, specifications and other data filed therewith conform to the requirements of this administrative code and the technical codes and other pertinent laws and ordinances, and that the fees specified in Section 7-01-200 of this administrative code have been paid, the building official shall issue a permit therefore to the applicant.

The building official may issue a permit for the construction of part of a building, structure or building service equipment before the entire plans and specifications for the whole building, structure or building service equipment have been submitted or approved, provided adequate information and detailed statements have been filed complying with all pertinent requirements of the technical codes. The holder of a partial permit shall proceed without assurance that the permit for the entire building, structure or building service equipment will be granted.

- B. Validity of Permit. The issuance of a permit or approval of plans, specifications and computations shall not be construed to be a permit for, or an approval of, any violation of any of the provisions of this administrative code, the technical codes or any other ordinance of the Town of Prescott Valley. Permits presuming to give authority to violate or cancel the provisions of this administrative code, the technical codes or other ordinances of the Town of Prescott Valley shall not be valid.

The issuance of a permit based on plans, specifications and other data shall not prevent the building official from subsequently requiring correction of errors in said plans, specifications and other data, or from preventing building operations being carried on thereunder when in violation of these codes or any other ordinances of the Town of Prescott Valley.

- C. Expiration. Every permit issued under this administrative code and the technical codes shall expire if the work authorized by the permit is not (1) commenced within one hundred eighty (180) days from the date of issuance of the permit, or (2) completed within three hundred sixty-five (365) days from the date of first approval of the first inspection date. Failure to commence or complete work authorized by a permit within the time frames specified in this section is a violation of Chapter 7 "Building" of the Prescott Valley Town Code punishable pursuant to Section 7-01-130 of this administrative code.

Where a permit has expired because of permittee's failure to commence authorized work within one hundred eighty (180) days of issuance, no authorized work may be commenced thereafter until a new permit is issued. If no change has been made or will be made to the original plans and specifications for such work, the fee for the new permit shall be one-half (1/2) the amount normally required for a new permit. Otherwise, a full permit fee will be required.

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Where a permit has expired because of permittee's failure to complete the authorized work and obtain a Certificate of Occupancy (CO) within three hundred sixty-five (365) days of first approval of the first inspection, the building official may grant a one-time extension not to exceed one hundred eighty (180) days. This extension will have a required, nonrefundable fifty dollar (\$50.00) investigation fee that shall accompany the written request for extension. A second extension of one hundred eighty (180) days may be approved by the Building Official upon payment of a new permit fee. Both extension requests shall be in writing and justifiable cause demonstrated.

The permittee has the burden of producing, upon the request of the building official, receipts, invoices, billing statements or other objective evidence showing (respectively) when the building or other authorized work commenced under the permit.

- D. Suspension or Revocation. The building official may, in writing, suspend or revoke a permit issued under the provisions of this administrative code and the technical codes when the permit is issued in error or on the basis of incorrect information supplied to the building official, or in violation of an ordinance or regulation or the provisions of these codes.

(Ord. No. 576, Enacted, 01/22/04; Ord. No. 713, Rep&ReEn, 03/13/08; Ord. No. 788, Amended, 04/24/14)

7-01-170 Fees.

- A. General. Fees shall be assessed in accordance with the provisions of this section and as set forth in Section 7-01-200, "Table 1 - Valuation and Fee Schedule" (hereinafter "Table 1"), of this administrative code.
- B. Permit Fees. The fee for each permit shall be based upon valuation as set forth in Table 1. However, the building official has discretion to accept the valuation supplied by the applicant in place of the "Valuation and Fees Schedule." There shall be no exemption from fees other than that listed in subparagraph 5 below. Furthermore, with regard to fees:
1. Permit fees for factory-built buildings and manufactured homes approved by the State of Arizona shall be as authorized and amended from time to time by the appropriate State agency. A schedule of said fees shall be kept on file by the building official and made available to the public upon request.
 2. Except for factory-built buildings and manufactured homes approved by the State of Arizona, permits for all relocated or moved buildings or structures shall be charged the same fee as would be charged on a new building of similar construction.
 3. Permits for "shell only" buildings shall be charged a fee equal to eighty percent (80%) of the fee which would be charged on the completed building. A "shell only" building is defined as a building for which HVAC, lighting, suspended ceilings, plumbing and electrical systems, partition layouts and interior finishes

are not shown on the plans, and for which an application for a permit and plans for separate tenant improvements will be submitted at a later date showing these items. A “shell only” building may include fire-extinguishing systems as needed for fire protection and minimal electrical for lighting along with a slab floor. “Shell only” buildings that require or include fire sprinkler systems may also have minimal heating equipment installed in order to prevent system freezing. No occupancy or use of a “shell only” building is permitted until tenant improvement permits are issued. (Warehouses and industrial buildings shall not be considered “shell only” buildings unless they meet the definition provided herein).

4. When existing structures are altered or remodeled and no additional floor area or roof coverage is created (such as the conversion of a patio or a garage to habitable space), the valuation of the alteration or remodel shall be the difference in value of the structure before and after the alteration or remodel, provided the original structure was constructed pursuant to a previously-approved permit.
 5. Buildings constructed for or by the Town of Prescott Valley and/or buildings owned by the Town of Prescott Valley shall be subject to all permits and inspections, but shall be exempt from any fees. Any plumbing, electrical or mechanical work shall comply with the relevant adopted technical codes.
- C. Plan Review fees/Deposits. When a plan or other data must be submitted pursuant to Section 7-01-150(D) of this administrative code, the plan review fee or permit fee deposit pursuant to Table 1 shall be paid at the time of submitting plans and specifications for review.

The plan review fee for new single-family residences, duplex residences or for remodeling of, or additions to, existing single-family residences, duplex residences and accessory uses for such residences on the same lot shall be as follows:

- | | |
|-----------|--|
| Tier I: | \$50
Approved “Master Plan” built on an approved “Mass graded Lot”. |
| Tier II: | 50% of building permit fee, including electrical, plumbing and mechanical fees. Approved “Master Plan” only. |
| Tier III: | 65% of building permit fee, including electrical, plumbing and mechanical fees. All non-commercial permits. |

The plan review fee for commercial, multi-family dwellings of three (3) units or more, or other structures shall be sixty-five percent (65%) of the total building permit fee, including fees for electrical, plumbing and mechanical permits.

- D. Expiration of Plan Review. Applications for which no permit is issued within 180 days following the date of application shall expire by limitation, and plans and other data submitted for review may thereafter be returned to the applicant or destroyed by the building official. The building official may extend the time for action by the applicant for a period not exceeding 180 days on written request by the applicant showing that

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circumstances beyond the control of the applicant have prevented action from being taken. An application shall not be extended more than once. An application shall not be extended if this administrative code, the technical codes or any other pertinent laws or ordinances have been amended subsequent to the date of application. In order to renew action on an application after expiration, the applicant shall resubmit plans and pay a new plan review fee.

E. Investigation Fees: Work Without the Required Permit.

1. **Investigation Fee.** Whenever work for which a permit is required by this administrative code has been commenced without first obtaining a permit, a special investigation shall be made before a permit may be issued for such work. An investigation fee, in addition to the permit fee, shall be collected whether or not a permit is then or subsequently issued. The investigation fee shall be equal to the amount of the permit fee required by this administrative code. The minimum investigation fee shall be the same as the minimum fee set forth in Table 1. The payment of such investigation fee shall not exempt an applicant from compliance with all other provisions of this administrative code the technical codes or from any penalty prescribed by law.
2. **Fee Refunds.**
 - a. The building official may authorize the refund of a fee paid hereunder which was paid or collected in error.
 - b. The building official may authorize the refund of not more than 80% of a permit fee paid when no work has been done under the permit issued in accordance with this administrative code.
 - c. The building official may authorize the refund of not more than 80% of the plan review fee paid when the related permit application is withdrawn or canceled before the plans have been reviewed.
 - d. The building official shall not authorize the refund of any fee paid except upon written application filed by the original permittee not later than 180 days after the date the fee was paid.
 - e. Deposits paid pursuant to Table 1 are not refundable.

(Ord. No. 576, Enacted, 01/22/04; Ord. No. 601, Amended, 08/12/04; Ord. No. 713, Rep&ReEn, 03/13/08; Ord. No. 788, Amended, 04/24/14)

7-01-180 Inspections.

- A. **General.** Construction or work for which a permit is required shall be subject to inspection by the building official. The construction or work shall remain accessible and exposed for inspection purposes until approved by the building official. In addition, certain types of construction shall have continuous inspections as may be specified in the technical codes.

Approval as a result of an inspection shall not be construed to be an approval of a violation of the provisions of this administrative code, the technical codes or other ordinances of the Town of Prescott Valley. Inspections presuming to give authority to violate or cancel the provisions of this administrative code, the technical codes or other ordinances of this jurisdiction shall not be valid.

It shall be the duty of the permit applicant to cause the work to remain accessible and exposed for inspection purposes. If necessary to verify compliance with the technical codes, the building official may require removal of materials that are concealing work that needs to be inspected in order to allow for such inspection. Neither the building official nor the Town of Prescott Valley shall be liable for expenses associated with the removal or replacement of such materials for inspection purposes. Alternatively, the permittee may submit a letter signed by the permittee or its authorized representative certifying compliance with all technical codes along with a report dated, signed and sealed by an Arizona registrant certifying same. This letter and report shall be kept in the permanent file for the property. Other certification options shall be considered by the building official on a case-by-case basis.

EXCEPTION: A registrant under this Chapter 7 may perform work on a project that is necessary or incidental to the work he is registered to perform, provided he is qualified to do so and the project involved is not a public works project.

- B. **Inspection Requests.** It shall be the duty of the person doing the work authorized by a permit to notify the building official that such work is ready for inspection. The building official may require that every request for inspection be filed at least one working day before such inspection is desired. Such request may be made in writing, by telephone using the Selectron Inspection Request System or by another method approved by the building official.

It shall be the duty of the person requesting any inspections required either by this administrative code or the technical codes to provide access to and means for inspection of the work.

- C. **Approval Required.** Work shall not be done beyond the point indicated in each successive inspection without first obtaining the approval of the building official. The building official shall make the requested inspections and shall either indicate that that portion of the construction is satisfactory as completed or shall notify the permit holder or an agent of the permit holder that the completed work fails to comply with this administrative code or relevant technical codes. Any portions of the work identified as noncompliant shall be corrected and shall not be covered or concealed until authorized by the building official.

There shall be a final inspection and approval of all buildings and structures when completed and ready for occupancy and use.

- D. **Required Building Inspections.** Reinforcing steel or structural framework of a part of a building or structure shall not be covered or concealed without approval of the building official. Protection of joints and penetrations in fire-resistant assemblies shall not be concealed from view until inspected and approved by the building official.

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Upon notice, the building official shall make the following inspections:

1. **Footing** - Footing inspection shall be made after excavations for footings are complete and any required reinforcing steel is in place. For concrete footings, any required forms shall be in place prior to inspection.
2. **Stem Wall/Grout** - Stem wall inspections of masonry or formed concrete walls shall be made prior to any grout or concrete being placed after the masonry units and required forms are completed and any required reinforcing steel installed, including the installation of any required framing attachments, which shall be secured in the wall.
 - a. **Reinforced masonry, insulating concrete form (ICF) and conventionally formed concrete wall inspection.** Reinforced masonry walls, insulating concrete form (ICF) walls and conventionally formed concrete walls shall be inspected after plumbing, mechanical and electrical systems embedded within the walls, and reinforcing steel are in place and prior to placement of grout or concrete. Inspection shall verify the correct size, location, spacing and lapping of reinforcing. For masonry walls, inspection shall also verify that the location of grout cleanouts and size of grout spaces comply with the requirements of this code.
3. **Floodplain Inspections** - For construction in areas prone to flooding, as determined by the Engineering Department, upon placement of the lowest floor, including the basement, and prior to further vertical construction, the Building Official shall require submission of documentation, prepared and sealed by a registered design professional, of the elevation of the lowest floor, including the basement.
4. **Plumbing, Mechanical, Gas and Electrical Inspection** - Rough inspection of plumbing, mechanical, gas and electrical systems shall be made prior to covering or concealment, before fixtures or appliances are set or installed, and prior to slab grade inspection, or at the time of rough-in inspection prior to insulation.

Exception: Back-filling of ground-source heat pump loop systems tested in accordance with Section M2105.1 prior to inspection shall be permitted as per the 2012 International Residential Code.
5. **Concrete Slab and Under-floor Inspection** - Concrete slab and under-floor inspections shall be made after in-slab or under-floor reinforcing steel and building service equipment, conduit, piping accessories and other ancillary equipment items are in place, but before any concrete is placed or floor

sheathing installed, including the sub floor. Residential building concrete slab inspections shall include the garage floor.

Exception: Concrete flat work (driveways, sidewalks, and pads not to be used in connection with a structural component.)

6. **Framing and Exterior Lath** - Framing inspection shall be made after all framing, fire-blocking, windows, and bracing are in place and pipes, chimneys and vents to be concealed are complete and the rough electrical, plumbing, heating, wiring, pipes and ducts are installed. All penetrations through the floor and through the top plate into the attic must be sealed and exterior lath installed and roof completely dried in with either the roofing material or approved roofing paper. The exterior lath inspection, for stucco wall covering, shall be made at this time.
7. **Roof Nailing and Exterior Braced Wall Panels** - Roof nailing and exterior braced wall panel inspection shall be made after the roof deck sheathing, exterior wall sheathing and required wall framing attachments are in place and prior to the installation of the roofing material and exterior wall covering. All required wall framing attachments to the foundation and stem wall systems shall be in place.
8. **Moisture/Air Barrier** - A moisture barrier inspection shall be performed after all flashings, windows and moisture barrier are installed prior to the installation of any exterior wall covering.
9. **Insulation Inspection** - Insulation inspection shall be made after frame and exterior lath inspection and all rough plumbing, mechanical, gas and electrical systems are approved and prior to covering or concealment. Blown or sprayed roof/ceiling insulation may be verified before final inspection with markers affixed to the trusses or joists and marked with the insulation thickness by one inch (1") high numbers. A minimum of one (1) marker shall be provided for each three hundred (300) square feet of area with numbers to face the attic access opening. In addition to an insulation inspection, a certificate from the insulation installer shall be submitted.
10. **Gypsum Board** - An inspection shall be made of the gypsum board, interior and exterior, before any joints and fasteners are taped and finished.
 - a. **Fire-resistant penetrations and fire-resistance-rated construction inspection.** Protection of joints and penetrations in fire-resistance-rated assemblies shall not be concealed from view until inspected and approved. Where fire-resistance-rated construction is required between dwelling units or due to location on property, the Building Official shall

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require an inspection of such construction after all lathing and/or wallboard is in place, but before any plaster is applied, or before wall board joints and fasteners are taped and finished.

11. **Special Inspections** - For special inspections, see Section 1704 of the 2012 International Building Code.
12. **Other Inspections** - In addition to the inspections specified above, the Building Official is authorized to make or require other inspection of any construction work to ascertain compliance with the provision of this code and other laws that are enforced by the department of Building Safety.
13. **Final Inspection** - Final inspection shall be made after the permitted work is completed and prior to occupancy.
 - a. **Inspection Agencies** - The Building Official is authorized to accept reports of approved inspection agencies, provided such agencies satisfy the requirements as to qualifications and reliability.
 - b. **Inspection Requests** - It shall be the duty of the holder of the building permit or their duly authorized agent to notify the Building 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.
 - c. **Approval Required** - Work shall not be done beyond the point indicated in each successive inspection without first obtaining the approval of the Building Official. The Building Official, upon notification, shall perform 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 Building Official.
 - d. **Re-inspection** - A re-inspection fee may be assessed for each inspection or re-inspection when such portion of work for which inspection is called is not complete or when corrections called for are not made. This section is not to be interpreted as requiring re-inspection fees the first time a job is rejected for failure to comply with the requirements of the technical codes, but as controlling the practice of calling for inspections before the job is ready for such inspection or re-inspection.

Re-inspection fees may be assessed for any reason including but not limited to the following:

- When the Building Display Card is not posted or otherwise displayed on the work site.
- When the approved plans are not readily available to the inspector.
- For failure to provide access on the date for which the inspection is requested.
- For deviating from approved plans thereby requiring the approval of the Building Official.

In instances where re-inspection fees have been assessed, additional inspection of the work will not be performed until the required fees have been paid.

E. Required Building Service Equipment Inspections.

1. General. Building service equipment for which a permit is required by this administrative code shall be inspected by the building official. Building service equipment intended to be concealed by a permanent portion of the building shall not be concealed until inspected and approved. When the installation of building service equipment is complete, an additional and final inspection shall be made. Building service equipment regulated by the technical codes shall not be connected to the water, fuel or power supply, or sewer system until authorized by the building official.
2. Operation of Building Service Equipment. The requirements of this section shall not be considered to prohibit the operation of building service equipment installed to replace existing building service equipment serving an occupied portion of the building provided that a request for inspection of such building service equipment has been filed with the building official within 48 hours after the replacement work is completed and before any portion of such building service equipment is concealed by permanent portions of the building.
3. Other Inspections. In addition to the called inspections specified above, the building official may make or require other inspections of construction work to ascertain compliance with the provisions of this administrative code and technical codes and other laws which are enforced by the Town of Prescott Valley.
4. Reinspections. A reinspection fee may be assessed for each inspection or reinspection when such portion of work for which inspection is called is not complete or when corrections called for are not made.

This section is not to be interpreted as requiring reinspection fees the first time a job is rejected for failure to comply with the requirements of the technical codes, but as controlling the practice of calling for inspections before the job is ready for such inspection or reinspection.

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Reinspection fees may be assessed when the permit card is not posted on the work site, the approved plans are not readily available to the inspector, for failure to provide access on the date for which inspection is requested, or for deviating from plans requiring the approval of the building official, or for not completing all correction items listed in a previous inspection.

To obtain a reinspection, the applicant shall pay the reinspection fee in accordance with Table 1.

(Ord. No. 576, Enacted, 01/22/04; Ord. No. 713, Rep&ReEn, 03/13/08; Ord. No. 788, Amended, 04/24/14)

7-01-190 Certificate of Occupancy.

- A. Use or Occupancy. No building or structure shall be used or occupied and no change in the existing occupancy classification of a building or structure or portion thereof shall be made until the building official has issued a certificate of occupancy therefore as provided herein. Issuance of a certificate of occupancy shall not be construed as an approval of a violation of the provisions of this administrative code, the technical codes or other ordinances of the Town of Prescott Valley.
- B. Change in Use. Changes in the character or use of a building shall not be made except as specified in Section 3406.1 of the International Building Code (as hereinafter adopted and amended by Chapter 7 of the Prescott Valley Town Code).
- C. Certificate Issued. After the building official inspects the building or structure and finds no violations of the provisions of this administrative code or other laws which are enforced by the Town of Prescott Valley, the building official shall issue a certificate of occupancy which shall contain the following:
 - 1. The building permit number.
 - 2. The address of the structure.
 - 3. The name and address of the owner.
 - 4. A description of that portion of the structure for which the certificate is issued.
 - 5. A statement that the described portion of the structure has been inspected for compliance with the requirements of this administrative code and the technical codes, for the occupancy and division of occupancy and the use for which the proposed occupancy is classified.
 - 6. The name of the building official.
 - 7. The edition of the code under which the permit was issued.
 - 8. The use and occupancy, in accordance with the provisions of the technical codes as adopted.

9. The type of construction as defined by the technical codes as adopted.
 10. The design occupant load.
 11. If an automatic sprinkler system is provided, whether the sprinkler system is required.
 12. Any special stipulations and conditions of the building permit.
- D. Temporary Occupancy. The building official is authorized to issue a temporary certificate of occupancy before the completion of the entire work covered by the permit, provided that such portion or portions shall be occupied safely. The building official shall set a time period during which the temporary certificate of occupancy is valid, which time period shall not exceed 90 days for R-3 and U occupancies and 180 days for all other uses.
- E. Posting. The certificate of occupancy shall be posted in a conspicuous place on the premises and shall not be removed except by the building official.
- F. Revocation. The building official may, in writing, suspend or revoke a certificate of occupancy issued under the provisions of this administrative code when the certificate is issued in error or on the basis of incorrect information, or when it is determined that the building or structure or portion thereof is in violation of an ordinance, regulation or the provisions of this administrative code or the technical codes.
- G. Certificate of Completion. The building official is authorized to issue a certificate of completion only for non-occupiable buildings such as shell buildings and specialty restrictive construction.

(Ord. No. 576, Enacted, 01/22/04; Ord. No. 713, Rep&ReEn, 03/13/08; Ord. No. 788, Amended, 04/24/14)

7-01-200 Valuation and Fee Schedule.

- A. Valuation. Valuations shall be determined as set forth in that certain document called "Building Valuation Data," published in the May edition of *Building Safety Journal* published by the International Code Council. Valuations per square foot shall be based upon the regional modifier for the State of Arizona in said document. Valuations per square foot shall be rounded up to the next whole dollar.

The annual publication of "Building Valuation Data" as published by the *Building Safety Journal* shall automatically be adopted, effective July 1 following publication, absent specific action to the contrary by the Town Council. The same modifier and rounding described above shall be applied to the new valuations per square foot in each subsequent publication. A copy of the most current "Building Valuation Data" shall be kept on file by the building official (as well as by the Town Clerk) for public inspection.

Valuation for categories of construction not specifically covered by the applicable

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“Building Valuation Data” shall be established by the building official in a separate listing (kept on file at the Community Development Office and also filed with the Town Clerk for public inspection), and are expressly adopted herein and made a part hereof. The building official shall annually review such valuations and make adjustments based on the valuations in the publication of “Building Valuation Data” contained in the May edition of the *Building Safety Journal*.

TABLE NO. 1 - VALUATION AND FEE SCHEDULE

ADDITIONAL SPECIFIC VALUATION DATA

1. **Agricultural Buildings:**
 - Barns/Greenhouses - Wood..... \$ 10.00/square foot
 - Barns/Greenhouses - Masonry..... \$ 12.00/square foot

2. **Awnings or Canopy Supported by Building:**
 - Canvas..... \$ 7.00/square foot
 - Fiberglass..... \$ 7.00/square foot
 - Metal..... \$ 7.00/square foot
 - Wood..... \$ 7.00/square foot

3. **Factory Built Buildings per State of Arizona Office of Manufactured Housing:**

Per current allowable fee schedule of the Arizona Department of Fire, Building and Life Safety (Office of Manufactured Housing).

4. **Fence/Freestanding Wall:**
 - Concrete/Masonry..... \$ 12.00/lineal foot over six (6) feet high
 - Iron/Wood/Chain-Link..... \$ 7.00/lineal foot over six (6) feet high
 - Retaining Walls..... \$ 13.00/lineal foot over six (6) feet high
 - * If less than four (4) feet high for concrete or masonry and less than six (6) feet high for all other fence types, only a Zoning Permit is required.
 - * If four (4) feet or more in height for concrete or masonry and six (6) feet or more in height for all other fence types, a building permit is required.

5. **Foundations:**
 - Pilings - CIP Cone..... \$ 10.00/lineal foot
 - Pilings - Steel..... \$ 15.00/lineal foot
 - Footings..... \$ 12.00/lineal foot

6. **Garage/Carport (Private):**
 - Garage - Wood Frame..... \$ 30.00/square foot
 - Garage - Masonry..... \$ 30.00/square foot
 - Open Carports..... \$ 21.00/square foot

Metal Garages..... \$ 21.00/square foot

7. **Manufactured Homes per State of Arizona Office of Manufactured Housing:**

Per current allowable fee schedule of the Arizona Department of Fire, Building and Life Safety (Office of Manufactured Housing).

8. **Patio/Deck/Shed/Porch:**

Covered Patio, wood..... \$ 10.00/square foot
 Covered Deck..... \$ 11.00/square foot
 Open Deck..... \$ 7.00/square foot
 Open Patio, wood..... \$ 7.00/square foot
 Screened -in Porch..... \$ 12.00/square foot
 Pre-Fab Metal Awning..... \$ 7.00/square foot
 Gazebo..... \$ 7.00/square foot
 Ramada..... \$ 10.00/square foot
 Ramada over Concrete..... \$ 12.00/square foot

9. **Remodeling/Additions:**

Exterior siding..... \$ 3.00/lineal foot
 Interior Partitions..... \$ 24.00/lineal foot
 Exterior Plastering..... \$ 3.00/lineal foot
 Interior Plastering..... \$ 3.00/lineal foot
 Stone/Brick Veneer..... \$ 5.00/lineal foot
 Windows/Sliding Doors..... \$ 6.00/lineal foot
 Stairs Exterior or Interior..... \$ 7.00/lineal foot

10. **Re-Roof:**

Asphalt..... \$ 3.00/square foot
 Fiberglass..... \$ 3.00/square foot
 Wood Shakes..... \$ 3.00/square foot
 Concrete or Clay tile..... \$ 3.00/square foot
 Rolled Roofing..... \$ 2.00/square foot

11. **Shell-Only Buildings:**

The valuation for shell-only buildings shall be taken as 80% of the valuation for the completed building when the ultimate use is specified.

DEFINITION: A “shell-only” building is defined as a building for which HVAC, lighting, suspended ceilings, plumbing and electrical systems, partition layouts and interior finishes are not shown on the plans, and for which an application for a permit and plans for separate tenant improvements will be submitted at a later date showing these items. A “shell-only” building may include fire-extinguishing systems as needed for fire protection and minimal electrical for lighting along with a slab floor. “Shell-only” buildings that require or include fire sprinkler systems may also have minimal heating equipment installed in order to prevent system freezing. Warehouses and industrial buildings shall not be considered “shell-only” buildings unless they meet the definition provided herein.

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12. **Storage Buildings (Non-Commercial):**

Greater than 144 sq. ft.

Metal/Engineered	\$ 8.00/square foot
Wood.....	\$ 17.00/square foot

Greater than 400 sq. ft.

Wood.....	\$ 16.00/square foot
Masonry.....	\$ 18.00/square foot
Metal/Engineered.....	\$ 9.00/square foot

13. **Tenant Improvements (Commercial):**

The valuation of the tenant improvement shall be \$40.00 per sq. ft., (which includes plumbing, mechanical and electrical or the actual construction cost estimate as determined by the building official).

OTHER INSPECTIONS AND FEES

1. **Demolition:**

Commercial: 2500 s.f. or less.....	\$107.00
2501 s.f. or greater.....	\$160.50
Residential.....	\$107.00
Manufactured Homes.....	\$ 53.50

2. **Inspections:**

Compliance Inspections.....	\$ 53.50 (unless otherwise specified by other Code provision)
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[If no fee specified (includes courtesy, housing and dangerous housing inspections)]..... \$ 53.50/hr*
 [If inspections outside normal business hours]..... \$ 53.50/hr*

* minimum 1 hour

3. **Membrane Structures:**

Air Supported Structures.....	\$ 53.50
Canopies.....	\$ 26.75
Tents.....	\$80.25

4. **Plan Review:**

[Use of outside consultants for plan review].....	(actual Town cost)
[Additional review required by changes, additions or revisions to approved plans].....	\$ 53.50/hr*

* minimum 1 hour

- 5. **Private Swimming Pools (not including electrical, mechanical, plumbing):**
..... \$107.00
 - 6. **Public Swimming Pools (not including electrical, mechanical, plumbing):**
..... \$214.00
 - 7. **Recorded Notice to Subsequent Buyers of Approved Exceptions or Code Non-Compliance:**
..... \$ 53.50
 - 8. **Reinspection Fees per §7-01-180 of Administrative Code:**
..... \$ 53.50/hr*
- * minimum 1 hour
- 9. **Signs:**
[See Town Code §13-23-110(A)(4) (as amended)]
 - 10. **Spas or Whirlpools (not including electrical, mechanical and plumbing):**
Residential..... \$ 53.50
Public..... \$107.00
 - 11. **Spray Booths (including suppression system, structure, and utilities):**
..... \$ 53.50*

*or total hourly cost to Town (whichever is greater). Includes supervision, overhead, equipment, hourly wages and fringe benefits of employees involved.

GRADING PLAN REVIEW FEES

50 cubic yards or less.....	(no fee)
51 to 100 cubic yards.....	\$ 25.15
101 to 1,000 cubic yards.....	\$ 39.60
1,001 to 10,000 cubic yards.....	\$ 52.70
10,001 to 100,000 cubic yards.....	\$ 52.70 (first 10,000 cubic yards, plus \$ 26.20 for each additional 10,000 cubic yards or fraction thereof)
100,001 to 200,000 cubic yards.....	\$288.65 (first 100,000 cubic yards, plus \$ 14.50 for each additional 10,000 cubic yards or fraction thereof)
200,001 cubic yards or more.....	\$430.40 (first 200,000 cubic yards, plus \$ 7.75 for each additional 10,000 cubic yards or fraction thereof)

[Use of outside consultants for plan review]..... (actual Town cost)
[Additional review required by changes,

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additions or revisions to approved plans]..... \$ 53.50/hr*

* minimum 1 hour

GRADING PERMIT FEES

50 cubic yards or less..... \$ 25.15
 51 to 100 cubic yards..... \$ 39.60
 101 to 1,000 cubic yards..... \$ 39.60 (first 100 cubic yards plus \$ 18.70 for each additional 100 cubic yards or fraction thereof)
 1,001 to 10,000 cubic yards..... \$208.10 (first 1,000 cubic yards, plus \$ 15.50 for each additional 1,000 cubic yards or fraction thereof)
 10,001 to 100,000 cubic yards..... \$347.75 (first 10,000 cubic yards, plus \$ 70.60 for each additional 10,000 cubic yards or fraction thereof)
 100,001 cubic yards or more..... \$983.30 (first 100,000 cubic yards, plus \$ 39.05 for each additional 10,000 cubic yards or fraction thereof)

Reinspection Fees per §7-01-180(E)..... \$ 53.50/hr*
 [If no fee specified]..... \$ 53.50/hr*
 [If inspections outside normal business hours]..... \$ 53.50/hr*

* minimum 1 hour; or actual Town cost for supervision, overhead, equipment, wages, and fringe benefits of employees involved (whichever is greater).

MECHANICAL ELECTRICAL AND PLUMBING FEES

1. **Mechanical:**
 \$ 26.75 (or \$0.02 per square foot, whichever is greater)
2. **Electrical:**
 \$ 32.10 (or \$0.04 per square foot whichever is greater)
3. **Plumbing:**
 \$ 53.50 (or \$0.03 per square foot whichever is greater)

BUILDING PERMIT FEES**

Prescott Valley, Arizona

Total Valuation:

\$ 1.00 to \$ 500.00.....	\$ 26.75*
\$ 501.00 to \$ 2,000.00.....	\$ 37.45*
\$ 2,001.00 to \$ 25,000.00.....	\$ 53.50* (for the first \$2,000.00 plus \$ 9.65 for each additional \$1,000.00 or fraction thereof, to and including \$25,000.00)
\$ 25,001.00 to \$ 50,000.00.....	\$269.65* (for the first \$25,000.00 plus \$ 6.95 for each additional \$1,000.00 or fraction thereof, to and including \$50,000.00)
\$ 50,001.00 to \$100,000.00.....	\$443.50* (for the first \$50,000.00 plus \$ 5.90 for each additional \$1,000.00 or fraction thereof, to and including \$100,000.00)
\$100,001.00 and above.....	\$737.75* (for the first \$100,000.00 plus \$ 1.60 for each additional \$1,000.00 or fraction thereof)

* An additional fee may be added to each building permit as follows:

Mechanical	\$ 26.75 or \$ 0.02 per square foot (whichever is greater)
Electrical	\$ 26.75 or \$ 0.04 per square foot (whichever is greater)
Plumbing	\$ 26.75 or \$ 0.03 per square foot (whichever is greater)

**Deposits may be required at the time of application as follows:

Commercial/Industrial	
New construction.....	\$321.00
Additions/Remodels.....	\$107.00
Small tenant improvements.....	\$ 32.10
Manufactured Homes.....	\$ 64.20
Other Residential	
New construction.....	\$107.00
Additions/Remodels	
\$ 5,000.00 or less valuation.....	\$ 26.75
\$ 5,001.00 to \$10,000.00 valuation...	\$ 53.50
\$10,001.00 to \$15,000.00 valuation.	\$ 64.20
\$15,001.00 to \$25,000.00 valuation.	\$ 80.25
\$25,000.00 or more valuation.....	\$107.00

(Ord. No. 576, Enacted, 01/22/04; Ord. No. 601, Amended, 08/12/04; Ord. No. 620, Amended, 04/28/05; Ord. No. 713, Rep&ReEn, 03/13/08; Ord. No. 788, Amended, 04/24/14; Ord. No. 837, Amended, 11/16/17)

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Article 7-02 ADOPTION OF THE INTERNATIONAL BUILDING CODE (IBC)

- 7-02-005 Adoption of the International Building Code.
- 7-02-010 Amendment of Chapter 1, SCOPE AND ADMINISTRATION, of the International Building Code.
- 7-02-020 Amendment of Chapter 2, DEFINITIONS, of the International Building Code.
- 7-02-030 Amendment of Chapter 3, USE AND OCCUPANCY CLASSIFICATION, of the International Building Code.
- 7-02-040 Amendment of Chapter 4, SPECIAL DETAILED REQUIREMENTS BASED ON USE AND OCCUPANCY, of the International Building Code.
- 7-02-050 Amendment of Chapter 5, GENERAL BUILDING HEIGHTS AND AREAS, of the International Building Code.
- 7-02-060 Chapter 6, TYPES OF CONSTRUCTION, of the International Building Code.
- 7-02-070 Chapter 7, FIRE AND SMOKE PROTECTION FEATURES, of the International Building Code.
- 7-02-080 Chapter 8, INTERIOR FINISHES, of the International Building Code.
- 7-02-090 Amendment of Chapter 9, FIRE PROTECTION SYSTEMS, of the International Building Code.
- 7-02-100 Chapter 10, MEANS OF EGRESS, of the International Building Code.
- 7-02-110 Chapter 11, ACCESSIBILITY, of the International Building Code.
- 7-02-120 Amendment of Chapter 12, INTERIOR ENVIRONMENT, of the International Building Code.
- 7-02-130 Reserved.
- 7-02-140 Chapter 14, EXTERIOR WALLS, of the International Building Code.
- 7-02-150 Amendment of Chapter 15, ROOF ASSEMBLIES AND ROOFTOP STRUCTURES, of the International Building Code.
- 7-02-160 Amendment of Chapter 16, STRUCTURAL DESIGN, of the International Building Code.
- 7-02-170 Chapter 17, STRUCTURAL TESTS AND SPECIAL INSPECTIONS, of the International Building Code.
- 7-02-180 Amendment of Chapter 18, SOILS AND FOUNDATIONS, of the International Building Code.
- 7-02-190 Amendment of Chapter 19, CONCRETE, of the International Building Code.
- 7-02-200 Chapter 20, ALUMINUM, of the International Building Code.
- 7-02-210 Amendment of Chapter 21, MASONRY, of the International Building Code.
- 7-02-220 Chapter 22, STEEL, of the International Building Code.
- 7-02-230 Amendment of Chapter 23, WOOD, of the International Building Code.
- 7-02-240 Chapter 24, GLASS AND GLAZING, of the International Building Code.
- 7-02-250 Chapter 25, GYPSUM BOARD AND PLASTER, of the International Building Code.
- 7-02-260 Chapter 26, PLASTIC, of the International Building Code.
- 7-02-270 Chapter 27, ELECTRICAL, of the International Building Code.
- 7-02-280 Chapter 28, MECHANICAL SYSTEMS, of the International Building Code.
- 7-02-290 Amendment of Chapter 29, Plumbing Systems, of the International Building Code.
- 7-02-300 Chapter 30, ELEVATORS AND CONVEYING SYSTEMS, of the International Building Code.
- 7-02-310 Chapter 31, SPECIAL CONSTRUCTION, of the International Building Code.
- 7-02-320 Chapter 32, ENCROACHMENTS INTO THE PUBLIC RIGHT-OF-WAY, of the International Building Code.

- 7-02-330 Chapter 33, SAFEGUARDS DURING CONSTRUCTION, of the International Building Code.
- 7-02-340 Amendment of Chapter 34, EXISTING STRUCTURES, of the International Building Code.
- 7-02-350 Chapter 35, REFERENCE STANDARDS, of the International Building Code.
- 7-02-350.C Appendix C, GROUP U - AGRICULTURAL BUILDINGS, of the International Building Code.
- 7-02-350.F Appendix F, RODENTPROOFING, of the International Building Code.
- 7-02-350.H Appendix H, SIGNS, of the International Building Code.
- 7-02-350.I Appendix I, PATIO COVERS, of the International Building Code.
- 7-02-350.J Amendment of Appendix J, GRADING, of the International Building Code.

7-02-005 Adoption of the International Building Code.

The International Building Code, 2012 Edition, along with Appendices C, F, H, I and J, all as copyrighted by the International Code Council, with amendments contained in this document, are hereby adopted by reference as though fully set forth herein, as one of the technical codes of the Town of Prescott Valley. At least three (3) copies of the aforesaid IBC shall be filed in the Office of the Town Clerk and made available for public use and inspection.

(Ord. No. 8, Enacted, 06/28/79; Ord. No. 20, Amended, 01/10/80; Ord. No. 56, Amended, 08/27/81; Ord. No. 90, Rep&ReEn, 12/15/83; Ord. No. 154, Rep&ReEn, 08/27/87; Ord. No. 174, Amended, 02/25/88; Ord. No. 178, Rep&ReEn, 05/26/88; Ord. No. 178, Ren&Amd, 05/26/88, 7-05-010; Ord. No. 237, Ren&Amd, 09/13/90, 7-01-010; Ord. No. 237, Ren&Amd, 09/13/90, 7-09; Ord. No. 296, Rep&ReEn, 07/22/93; Ord. No. 375, Renumbered, 12/28/95, 7-02; Ord. No. 485, Amended, 05/25/00; Ord. No. 576, Rep&ReEn, 01/22/04; Ord. No. 713, Rep&ReEn, 03/13/08; Ord. No. 788, Rep&ReEn, 04/24/14)

7-02-010 Amendment of Chapter 1, SCOPE AND ADMINISTRATION, of the International Building Code.

- A. SECTION 101, GENERAL, Subsection 101.1, Title, is hereby amended to read as follows:

SECTION 101 - GENERAL

101.1 Title. These regulations shall be known as the *Building Code* of the Town of Prescott Valley, hereinafter referred to as "this code."

- B. SECTION 101, GENERAL, Subsection 101.4.6, is hereby deleted in its entirety.

- C. SECTION 101, GENERAL, is hereby amended by adding the following Subsection, to read as follows:

SECTION 101 - GENERAL

...

101.5 Administration of Building Code. This code shall be administered pursuant to Article 7-01, THE TOWN OF PRESCOTT VALLEY ADMINISTRATIVE CODE, in Chapter 7, BUILDING, of the Prescott Valley Town Code.

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- D. SECTION 102, APPLICABILITY, is hereby deleted in its entirety.
- E. SECTION 103, DEPARTMENT OF BUILDING SAFETY, is hereby deleted in its entirety.
- F. SECTION 104, DUTIES AND POWERS OF BUILDING OFFICIAL, is hereby deleted in its entirety.
- G. SECTION 105, PERMITS, is hereby deleted in its entirety.
- H. SECTION 107, SUBMITTAL DOCUMENTS, is hereby deleted in its entirety.
- I. SECTION 108, TEMPORARY STRUCTURES AND USES, is hereby deleted in its entirety.
- J. SECTION 109, FEES, is hereby deleted in its entirety.
- K. SECTION 110, INSPECTIONS, is hereby deleted in its entirety.
- L. SECTION 111, CERTIFICATE OF OCCUPANCY, is hereby deleted in its entirety.
- M. SECTION 112, SERVICE UTILITIES, is hereby deleted in its entirety.
- N. SECTION 113, BOARD OF APPEALS, is hereby deleted in its entirety.
- O. SECTION 114, VIOLATIONS, is hereby deleted in its entirety.
- P. SECTION 115, STOP WORK ORDER, is hereby deleted in its entirety.
- Q. SECTION 116, UNSAFE STRUCTURES AND EQUIPMENT, is hereby deleted in its entirety.

(Ord. No. 237, Enacted, 09/13/90; Ord. No. 296, Rep&ReEn, 07/22/93; Ord. No. 485, Amended, 05/25/00; Ord. No. 576, Rep&ReEn, 01/22/04; Ord. No. 713, Rep&ReEn, 03/13/08; Ord. No. 788, Rep&ReEn, 04/24/14)

7-02-020 Amendment of Chapter 2, DEFINITIONS, of the International Building Code.

- A. SECTION 201, GENERAL, Subsection 201.4, Terms Not Defined, is hereby amended to read as follows:

SECTION 201 - GENERAL

...

201.4 Terms not defined. Where terms are not defined through the methods authorized by this section, such terms shall have ordinarily accepted meanings such as the context implies. Webster's Third New International Dictionary of the English Language, Unabridged, shall be considered as providing ordinarily accepted meanings and terms shall have their ordinarily accepted meanings within the context with which they are used.

- B. SECTION 202, DEFINITIONS, is hereby amended as follows:

SECTION 202 - DEFINITIONS

...

ALTERATION. Any change, modification, construction or renovation to an existing structure or building service equipment other than repair or addition.

...

APPROVED. Approval by the building official of materials, types of construction, equipment and systems as the result of investigation and tests conducted by the building official, or by reason of accepted principles or tests by recognized authorities, technical or scientific organizations.

APPROVED AGENCY. An established and recognized agency regularly engaged in conducting tests or furnishing inspection services, when such agency has been approved by the building official.

...

BUILDING OFFICIAL. The officer charged with the administration and enforcement of this code, his designee or a duly authorized representative.

...

JURISDICTION. A state or political subdivision which adopts this code for administrative regulations within its area of authority.

...

LISTED. Terms referring to equipment and materials included in a list published by an approved testing laboratory, inspection agency or other organization concerned with evaluation of products that maintains periodic inspection of current production of listed equipment or materials. The published list shall state that the material or equipment complies with approved nationally recognized codes, standards or tests and has been tested or evaluated and found suitable for use in a specified manner.

...

PERMIT. An official document or certificate issued by the building official which authorizes performance of a specified activity.

...

REPAIR. The reconstruction or renewal of any part of an existing building, structure or building service equipment for the purpose of its maintenance.

...

STRUCTURE. That which is built or constructed, an edifice or building of any kind, or any piece of work artificially built up or composed of parts joined together in some definite manner.

...

(Ord. No. 237, Enacted, 09/13/90; Ord. No. 296, Rep&ReEn, 07/22/93; Ord. No. 485, Rep&ReEn, 05/25/00; Ord. No. 576, Rep&ReEn, 01/22/04; Ord. No. 713, Rep&ReEn, 03/13/08; Ord. No. 788, Rep&ReEn, 04/24/14)

7-02-030 Amendment of Chapter 3, USE AND OCCUPANCY CLASSIFICATION, of the International Building Code.

- A. SECTION 305, EDUCATIONAL GROUP E, Subsection 305.1, Educational Group E, is hereby deleted in its entirety.
- B. SECTION 305, EDUCATIONAL GROUP E, Subsection 305.1, Educational Group E, Subsubsection 305.1.1, Accessory to Places of Religious Worship, is hereby deleted in its entirety.
- C. SECTION 305, EDUCATIONAL GROUP E, Subsection 305.2, Group E, Day Care Facilities, Subsubsection 305.2.1, Within Places of Religious Worship, is hereby deleted in its entirety.
- D. SECTION 305, EDUCATIONAL GROUP E, Subsection 305.2, Group E, Day Care Facilities, is hereby amended by adding the following Exception, to read as follows:

SECTION 305 - EDUCATIONAL GROUP E

...

305.2 Group E, Day Care Facilities.

...

Exception: A child day care facility complying with the requirements of ARS §36-897 *et seq.* and providing child care for less than 24 hours per day for not less than five (5) children but no more than ten (10) children through the age of twelve years shall be classified as Group R-3, provided that all child care rooms are located on the level of exit discharge and each child care room has an exit door directly to the exterior.

- E. SECTION 308, INSTITUTIONAL GROUP I, Subsection 308.3, Institutional Group I-1, is hereby amended in its entirety to read as follows:

SECTION 308 - INSTITUTIONAL GROUP I

...

308.3 Institutional Group I-1. This occupancy shall include buildings, structures or parts thereof housing more than 10 persons, on a 24-hour basis, who because of age, mental disability or other reasons, live in a supervised residential environment that provides personal care services. The occupants are capable of responding to an emergency situation without physical assistance from staff. This group shall include, but not be limited to, the following:

- Alcohol and drug centers
- Assisted living facilities
- Congregate care facilities
- Convalescent facilities
- Group Homes
- Halfway houses
- Residential board and custodial care facilities
- Social rehabilitation facilities

- F. SECTION 308, INSTITUTIONAL GROUP I, Subsection 308.3, Institutional Group I-1, Subsubsection 308.3.1, Five or Fewer Persons Receiving Care, is hereby amended in its entirety to read as follows:

SECTION 308 - INSTITUTIONAL GROUP I

...

308.3 Institutional Group I-1.

...

308.3.1 Five or Fewer Persons Receiving Care. A facility such as the above with five or fewer persons shall be classified as a Group R-3 or shall comply with the International Residential Code in accordance with Section 101.2 of the International Building Code.

- G. SECTION 308, INSTITUTIONAL GROUP I, Subsection 308.3, Institutional Group I-1, Subsubsection 308.3.2, Six to Sixteen Persons Receiving Care, is hereby amended in its entirety to read as follows:

SECTION 308 - INSTITUTIONAL GROUP I

...

308.3 Institutional Group I-1.

...

308.3.2 Six to Ten Persons Receiving Care. A facility such as above, housing at least six and not more than 10 persons, shall be classified as Group R-4.

- H. SECTION 308, INSTITUTIONAL GROUP I, Subsection 308.4, Institutional Group I-2, is hereby amended in its entirety to read as follows:

SECTION 308 - INSTITUTIONAL GROUP I

...

308.4 Institutional Group I-2. This occupancy shall include buildings and structures used for medical, surgical, psychiatric, nursing, custodial, personal, or directed care on a 24-hour basis for more than five persons who are not capable of self-preservation by responding to an emergency situation without physical assistance from staff. This group shall include, but not be limited to, the following:

- Foster care facilities
- Detoxification facilities
- Hospitals
- Nursing homes
- Psychiatric hospitals

This occupancy shall also include buildings and structures used for assisted living homes providing supervisory, personal, or directed care on a 24-hr basis for more than

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10 persons who are not capable of self-preservation by responding to an emergency situation without physical assistance from staff. A facility such as the above with ten or fewer persons shall be classified as R-4 Condition 2.

- I. SECTION 308, INSTITUTIONAL GROUP I, Subsection 308.4, Institutional Group I-2, Subsubsection 308.4.1, Five or Fewer Persons Receiving Care, is hereby amended in its entirety to read as follows:

SECTION 308 - INSTITUTIONAL GROUP I

...

308.4 Institutional Group I-2.

...

308.4.1 Five or Fewer Persons Receiving Care. A facility such as the above with five or fewer persons shall be classified as Group R-3 or shall comply with the International Residential Code in accordance with Section 101.2 of the International Building Code.

- J. SECTION 308, INSTITUTIONAL GROUP I, Subsection 308.6, Institutional Group I-4, Day Care Facilities, Subsubsection 308.6.2, Within a Place of Religious Worship, is hereby deleted in its entirety.

- K. SECTION 308, INSTITUTIONAL GROUP I, Subsection 308.6, Institutional Group I-4, Day Care Facilities, is hereby amended by adding the following Exception, to read as follows:

SECTION 308 - INSTITUTIONAL GROUP I

...

308.6 Institutional Group I-4, Day Care Facilities.

...

Exception: A child day care facility complying with the requirements of ARS §36-897 *et seq.* and providing child care for less than 24 hours per day for not less than five (5) children but no more than ten (10) children through the age of twelve years shall be classified as Group R-3, provided that all child care rooms are located on the level of exit discharge and each child care room has an exit door directly to the exterior.

- L. SECTION 310, RESIDENTIAL GROUP R, Subsection 310.2, Definitions, is hereby amended by adding the following definitions to read as follows:

SECTION 310, RESIDENTIAL GROUP R

...

310.2 Definitions.

...

DIRECTED CARE SERVICE. Care, including personal care services, of residents who are incapable of recognizing danger, summoning assistance, expressing need, or making basic care decisions.

...

RESIDENTIAL CARE/ASSISTED LIVING HOME. A building or part thereof housing a maximum of 10 persons, excluding staff, on a 24-hour basis, who because of age, mental disability or other reasons, live in a supervised residential environment which provides supervisory, personal, or directed care services. This classification shall include, but not be limited to, the following: residential board and care facilities, assisted living homes, halfway houses, group homes, congregate care facilities, social rehabilitation facilities, alcohol and drug abuse centers and convalescent facilities.

SUPERVISORY CARE SERVICE. General supervision, including daily awareness, of resident functioning and continuing needs.

...

- M. SECTION 310, RESIDENTIAL GROUP R, Subsection 310.5, Residential Group R-3, is hereby amended in its entirety to read as follows:

SECTION 310, RESIDENTIAL GROUP R

...

310.5 Residential Group R-3. Residential occupancies where the occupants are primarily permanent in nature and not classified as Group R-1, R-2, R-4 or I, as follows:

Buildings that do not contain more than two dwelling units as applicable in Section 101.2 of the International Residential Code.

Adult and child care facilities that provide accommodations for five or fewer persons of any age.

Adult and child care facilities that are within a single-family home are permitted to comply with the International Residential Code in accordance with Section 101.2 of the International Building Code.

- N. SECTION 310, RESIDENTIAL GROUP R, Subsection 310.6, Residential Group R-4, is hereby amended in its entirety to read as follows:

SECTION 310, RESIDENTIAL GROUP R

...

310.6 Residential Group R-4. This occupancy includes the use of a building or structure, or a portion thereof, for sleeping purposes when not classified as Group R-1, R-2, R-3 or an Institutional Group I. Residential occupancies shall include the following:

Buildings arranged for occupancy as residential care/assisted living facilities including more than five but not more than 10 occupants, excluding staff.

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Condition 1. This occupancy condition shall include facilities licensed to provide supervisory care services, in which occupants are capable of self-preservation by responding to an emergency situation without physical assistance from staff. Condition 1 facilities housing more than 10 persons shall be classified as a Group I-1.

Condition 2. This occupancy condition shall include facilities licensed to provide personal or directed care services, in which occupants are incapable of self-preservation by responding to an emergency without physical assistance from staff. Condition 2 facilities housing more than 10 persons shall be classified as Group I-2.

(Ord. No. 237, Enacted, 09/13/90; Ord. No. 296, Rep&ReEn, 07/22/93; Ord. No. 485, Amended, 05/25/00; Ord. No. 576, Rep&ReEn, 01/22/04; Ord. No. 713, Rep&ReEn, 03/13/08; Ord. No. 788, Rep&ReEn, 04/24/14)

7-02-040 Amendment of Chapter 4, SPECIAL DETAILED REQUIREMENTS BASED ON USE AND OCCUPANCY, of the International Building Code.

- A. SECTION 406, MOTOR-VEHICLE-RELATED OCCUPANCIES, Subsection 406.3, Private Garages and Carports, Subsubsection 406.3.4, Separation, is hereby amended to read as follows:

SECTION 406 - MOTOR-VEHICLE-RELATED OCCUPANCIES

...

406.3 Private Garages and Carports

...

406.3.4 Separation. Separations shall comply with the following:

- 1. The garage shall be separated from the residence and its attic area by not less than 5/8" Type 'X' gypsum board, or equivalent, applied to the garage side. Garages beneath habitable rooms shall be separated from all habitable rooms above by not less than 5/8" Type 'X' gypsum board or equivalent. Where the separation is a floor-ceiling assembly, the structure supporting the separation shall also be protected by not less than 5/8" Type 'X' gypsum board or equivalent. Door openings between a private garage and the dwelling unit shall be equipped with either solid wood doors or solid or honeycomb core steel doors not less than 1 3/8 inches thick, or doors in compliance with Section 716.5.3.7. Doors providing protection shall be maintained self-closing and self-latching. Openings from a private garage directly into a room used for sleeping purposes shall not be permitted.

...

- B. SECTION 420, GROUP I-1, R-1, R-2, R-3, is hereby amended in its entirety to read as follows:

SECTION 420 - GROUP R-4 OCCUPANCIES

420.1 Applicability. The provisions of this section shall apply to Group R-4 occupancies constructed and operated within the Town.

420.2 Construction Requirements. Group R-4 occupancies shall meet the requirements for construction as defined in Group R-3 except as otherwise provided for in this code, or shall comply with Section 419 of this code and the International Residential Code.

420.2.1 Construction Materials. Group R-4 occupancies may be constructed of any materials allowed by this code.

420.2.2 Height, Size and Location. Group R-4 occupancies shall be separated from other uses as provided in Table 508.3.3 of the International Building Code, shall not exceed two stories in height or be located above the second story in any building, and any second story shall not exceed 2000 square feet, except as provided in Section 506 of the International Building Code. Mixed Use Group R-4 occupancies shall be separated from other uses as provided in Table 302.3.2 of the International Building Code.

420.2.3 Fire Resistant Construction. Group R-4 occupancies having more than 2000 square feet of floor area above the first floor shall be of not less than one-hour, fire-resistant construction throughout.

420.2.4 Accessibility. Group R-4 occupancies shall include at least one entrance that meets the requirements of the Arizonans with Disabilities Act [ARS §§9-499.02 and 41-1492 through 41-1492.11)]. Sleeping rooms and associated toilets shall be accessible by residents.

Exception: Existing buildings shall comply with the accessibility requirements in Section 3409 of the International Building Code. Bathing and toilet facilities in existing buildings shall be fitted with grab bars in accordance with ICC/ANSI A 117.1.

420.2.5 Exits. Every story, basement, or portion of a Group R-4 occupancy shall have at least two exits.

Exception: Group R-4 occupancies with a second story which does not contain sleeping rooms may have one exit on the second story as provided in Chapter 10.

420.2.6 Distance to Exits. The maximum travel distance to an exit shall comply with the requirements of Section 1004 of the International Building Code.

Exception. The maximum travel distance from the center point of any sleeping room to an exit shall not exceed 75 feet.

420.2.7 Emergency Exit Illumination. In the event of a power failure, exits shall be automatically illuminated by an emergency system powered by storage

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batteries or an onsite generator installed in accordance with the National Electrical Code.

420.2.8 Emergency Escape and Rescue. Group R-4 occupancies shall comply with the requirements of Section 1025 of the International Building Code.

Exception. Section 1025.1 of the International Building Code shall not apply to Group R-4 occupancies.

420.2.9 Delayed Egress Locks. In Group R-4 Condition 2 occupancies, delayed egress locks shall be permitted in accordance with Sections 1008.1.9.7 and 1008.1.8.6, items 1, 2, 4, 5 and 6 of the International Building Code.

420.2.10 Smoke Alarms. All habitable rooms and hallways in Group R-4 occupancies shall be equipped with smoke alarms installed in accordance with Section 907.2.10.1-3 of the International Building Code.

420.2.11 Sprinkler Systems. Group R-4 occupancies shall be equipped with a sprinkler system installed throughout, including attached garages, in accordance with Section 903.2.9 of the International Building Code. In Group R-4 Condition 2 occupancies, sprinkler systems shall also be installed in attics and concealed spaces consisting of or containing combustible materials. Such systems shall not contain unsupervised valves between the domestic water riser control valve and the sprinklers. In Group R-4 Condition 2 occupancies, such systems shall contain water-flow switches electrically supervised by an approved supervising station, and shall sound an audible signal at a location staffed 24 hours-a-day, 7 days a week.

(Ord. No. 237, Enacted, 09/13/90; Ord. No. 296, Rep&ReEn, 07/22/93; Ord. No. 576, Rep&ReEn, 01/22/04; Ord. No. 713, Rep&ReEn, 03/13/08; Ord. No. 788, Rep&ReEn, 04/24/14)

7-02-050 Amendment of Chapter 5, GENERAL BUILDING HEIGHTS AND AREAS, of the International Building Code.

- A. SECTION 501, GENERAL, Subsection 501.2, Address Identification, is hereby amended in its entirety to read as follows:

SECTION 501 - GENERAL

...

501.2 Address Identification. New or replacement address numbers shall be displayed on all buildings, without regard to actual occupancy (with the exception of accessory buildings as defined from time to time in the Zoning Code). Said address numbers shall be a minimum height of six (6) inches for all buildings, shall have a stroke not less than one-half inch (1/2") wide, shall contrast with their background in direct light, and shall either be located near a light source on the building (so as to be capable of being indirectly illuminated) or shall be reflective. If the address numbers for a building are not clearly visible from the street where the building is located, they shall be posted where they are otherwise clearly visible from that street.

(Ord. No. 49, Enacted, 01/22/81; Ord. No. 54, Amended, 06/25/81; Ord. No. 237, Enacted, 09/13/90; Ord. No. 296, Rep&ReEn, 07/22/93; Ord. No. 350, Repealed, 02/09/95; Ord. No. 350, Amended, 02/09/95; Ord. No. 485, Amended, 05/25/00; Ord. No. 576, Rep&ReEn, 01/22/04; Ord. No. 713, Rep&ReEn, 03/13/08; Ord. No. 788, Rep&ReEn, 04/24/14)

7-02-060 Chapter 6, TYPES OF CONSTRUCTION, of the International Building Code.

(Ord. No. 237, Enacted, 09/13/90; Ord. No. 296, Rep&ReEn, 07/22/93; Ord. No. 576, Rep&ReEn, 01/22/04; Ord. No. 713, Rep&ReEn, 03/13/08; Ord. No. 788, Rep&ReEn, 04/24/14)

7-02-070 Chapter 7, FIRE AND SMOKE PROTECTION FEATURES, of the International Building Code.

(Ord. No. 237, Enacted, 09/13/90; Ord. No. 296, Rep&ReEn, 07/22/93; Ord. No. 576, Rep&ReEn, 01/22/04; Ord. No. 713, Rep&ReEn, 03/13/08; Ord. No. 788, Rep&ReEn, 04/24/14)

7-02-080 Chapter 8, INTERIOR FINISHES, of the International Building Code.

(Ord. No. 237, Enacted, 09/13/90; Ord. No. 296, Rep&ReEn, 07/22/93; Ord. No. 576, Rep&ReEn, 01/22/04; Ord. No. 713, Rep&ReEn, 03/13/08; Ord. No. 788, Rep&ReEn, 04/24/14)

7-02-090 Amendment of Chapter 9, FIRE PROTECTION SYSTEMS, of the International Building Code.

A. SECTION 901, GENERAL, is hereby amended in its entirety to read as follows:

SECTION 901 - GENERAL

Fire protection systems shall be installed, repaired, operated, maintained and enforced in accordance with the requirements of the Central Yavapai Fire District and the International Fire Code (as adopted and amended from time to time by the Central Yavapai Fire District), collectively, "Central Yavapai Fire District requirements." The Building Official shall assist the Central Yavapai Fire District in the inspection, testing and oversight of fire protection systems as may be required from time-to-time. The Building Official shall withhold approvals where fire protection systems are not in compliance with Central Yavapai Fire District requirements.

B. SECTION 902, DEFINITIONS, is hereby deleted in its entirety.

C. SECTION 903, AUTOMATIC SPRINKLER SYSTEMS, is hereby deleted in its entirety.

D. SECTION 904, ALTERNATIVE AUTOMATIC FIRE-EXTINGUISHING SYSTEMS, is hereby deleted in its entirety.

E. SECTION 905, STANDPIPE SYSTEMS, is hereby deleted in its entirety.

F. SECTION 906, PORTABLE FIRE EXTINGUISHERS, is hereby deleted in its entirety.

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- G. SECTION 907, FIRE ALARM AND DETECTION SYSTEMS, is hereby deleted in its entirety.
- H. SECTION 908, EMERGENCY ALARM SYSTEMS, is hereby deleted in its entirety.
- I. SECTION 909, SMOKE CONTROL SYSTEMS, is hereby deleted in its entirety.
- J. SECTION 910, SMOKE AND HEAT REMOVAL, is hereby deleted in its entirety.
- K. SECTION 911, FIRE COMMAND CENTER, is hereby deleted in its entirety.
- L. SECTION 912, FIRE DEPARTMENT CONNECTIONS, is hereby deleted in its entirety.
- M. SECTION 913, FIRE PUMPS, is hereby deleted in its entirety.
- N. SECTION 914, EMERGENCY RESPONDER SAFETY FEATURES, is hereby deleted in its entirety.
- O. SECTION 915, EMERGENCY RESPONDER RADIO COVERAGE, is hereby deleted in its entirety.

(Ord. No. 237, Enacted, 09/13/90; Ord. No. 296, Rep&ReEn, 07/22/93; Ord. No. 576, Rep&ReEn, 01/22/04; Ord. No. 713, Rep&ReEn, 03/13/08; Ord. No. 788, Rep&ReEn, 04/24/14)

7-02-100 Chapter 10, MEANS OF EGRESS, of the International Building Code.

(Ord. No. 237, Enacted, 09/13/90; Ord. No. 296, Rep&ReEn, 07/22/93; Ord. No. 485, Rep&ReEn, 05/25/00; Ord. No. 576, Rep&ReEn, 01/22/04; Ord. No. 713, Rep&ReEn, 03/13/08; Ord. No. 788, Rep&ReEn, 04/24/14)

7-02-110 Chapter 11, ACCESSIBILITY, of the International Building Code.

(Ord. No. 237, Enacted, 09/13/90; Ord. No. 296, Rep&ReEn, 07/22/93; Ord. No. 485, Rep&ReEn, 05/25/00; Ord. No. 576, Rep&ReEn, 01/22/04; Ord. No. 614, Amended, 02/10/05; Ord. No. 713, Rep&ReEn, 03/13/08; Ord. No. 788, Rep&ReEn, 04/24/14)

7-02-120 Amendment of Chapter 12, INTERIOR ENVIRONMENT, of the International Building Code.

- A. SECTION 1207, SOUND TRANSMISSION, is hereby deleted in its entirety.

(Ord. No. 237, Enacted, 09/13/90; Ord. No. 296, Rep&ReEn, 07/22/93; Ord. No. 576, Rep&ReEn, 01/22/04; Ord. No. 713, Rep&ReEn, 03/13/08; Ord. No. 788, Rep&ReEn, 04/24/14)

7-02-130 Reserved.

(Ord. No. 237, Enacted, 09/13/90; Ord. No. 296, Rep&ReEn, 07/22/93; Ord. No. 576, Rep&ReEn, 01/22/04; Ord. No. 713, Rep&ReEn, 03/13/08; Ord. No. 788, Rep&ReEn, 04/24/14)

7-02-140 Chapter 14, EXTERIOR WALLS, of the International Building Code.

(Ord. No. 237, Enacted, 09/13/90; Ord. No. 296, Rep&ReEn, 07/22/93; Ord. No. 576, Rep&ReEn, 01/22/04; Ord. No. 713, Rep&ReEn, 03/13/08; Ord. No. 788, Rep&ReEn, 04/24/14)

7-02-150 Amendment of Chapter 15, ROOF ASSEMBLIES AND ROOFTOP STRUCTURES, of the International Building Code.

- A. SECTION 1509, ROOFTOP STRUCTURES, Subsection 1509.5, Towers, Spires, Domes, and Cupolas, is hereby amended by adding a new Subsubsection 1509.5.3, Obsolete Roof Equipment, to read as follows:

SECTION 1509 - ROOFTOP STRUCTURES

...

1509.5 Towers, Spires, Domes and Cupolas.

...

1509.5.3 Obsolete Roof Equipment. Mechanical and other equipment, including piping and ducts, which is located on the roof of a building and is no longer in use shall be removed from said roof and disposed of in a manner consistent with the requirements of the Prescott Valley Town Code.

(Ord. No. 237, Enacted, 09/13/90; Ord. No. 296, Rep&ReEn, 07/22/93; Ord. No. 485, Rep&ReEn, 05/25/00; Ord. No. 576, Rep&ReEn, 01/22/04; Ord. No. 713, Rep&ReEn, 03/13/08; Ord. No. 788, Rep&ReEn, 04/24/14)

7-02-160 Amendment of Chapter 16, STRUCTURAL DESIGN, of the International Building Code.

- A. SECTION 1607, LIVE LOADS, Table 1607.1, Minimum Uniformly Distributed Live Loads, and Minimum Concentrated Live Loads, Subparagraph #25, Residential, is hereby amended to read as follows:

SECTION 1607 - LIVE LOADS

...

Table 1607.1

Minimum Uniformly Distributed Live Loads and Minimum Concentrated Live Loads.

...

25. Residential
One- and two-family dwellings

...

Habitable attics and sleeping areas - 40 psf

...

- B. SECTION 1612, FLOOD LOADS, is hereby deleted in its entirety.

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(Ord. No. 237, Enacted, 09/13/90; Ord. No. 296, Rep&ReEn, 07/22/93; Ord. No. 576, Rep&ReEn, 01/22/04; Ord. No. 713, Rep&ReEn, 03/13/08; Ord. No. 788, Rep&ReEn, 04/24/14)

7-02-170 Chapter 17, STRUCTURAL TESTS AND SPECIAL INSPECTIONS, of the International Building Code.

(Ord. No. 237, Enacted, 09/13/90; Ord. No. 296, Rep&ReEn, 07/22/93; Ord. No. 576, Rep&ReEn, 01/22/04; Ord. No. 713, Rep&ReEn, 03/13/08; Ord. No. 788, Rep&ReEn, 04/24/14)

7-02-180 Amendment of Chapter 18, SOILS AND FOUNDATIONS, of the International Building Code.

- A. SECTION 1804, EXCAVATION, GRADING AND FILL, Subsection 1804.4, Grading and Fill in Flood Hazard Areas, is hereby deleted in its entirety.
- B. SECTION 1808, FOUNDATIONS, Subsection 1808.1, General, is hereby amended by adding the following subparagraph, to read as follows:

SECTION 1808 - FOUNDATIONS

1808.1 General.

...

Footings and foundations, unless otherwise specifically provided, shall be constructed of masonry, concrete or treated wood in conformance with this Chapter, and in all cases shall extend below the frost line. Footings of concrete and all masonry shall be of solid material. Foundation stem walls shall extend at least 7 inches above the adjacent finished grade. Footings shall have a minimum depth below finished grade as indicated in 1809.5 of the International Building Code, unless another depth is recommended based on a foundation investigation.

- C. SECTION 1808, FOUNDATIONS, Subsection 1808.2, Design for Capacity and Settlement, is hereby amended by adding the following subparagraph to read as follows:

SECTION 1808 - FOUNDATIONS

...

1808.2 Design for Capacity and Settlement

...

For stud bearing walls, the minimum footing reinforcement is two #4 horizontal bars placed 3 inches from the footing bottom, with spacing between bars equal to the thickness of the stem wall. Additional steel may be required at the option of the building official if soil, structural, or other conditions so require. Bearing walls shall be supported on masonry, concrete foundations, piles, or another approved foundation system, which shall be of sufficient size to support all loads. Stem walls supporting wood stud framing shall be reinforced as follows:

1. For non-retaining stem walls less than 24 inches in height, a bond beam composed of one #4 rebar is required at the top of the wall and one #4 vertical rebar is required every 48 inches on center.
2. For stem walls 24 inches in height, a bond beam composed of two #4 rebar is required at the top of the wall, with one #4 vertical rebar 48 inches on center.
3. For stem walls over 48 inches in height or retaining 2 or more feet of earth, engineering may be required to determine footing size, wall thickness, materials, steel placement and size (depending on soil conditions), height, surcharge loading, or other requirements at the option of the building official. Minimum stem wall height shall be 13 inches above the existing grade at the existing grade high elevation corner of the structure or the finished grade of the building pad. Where a design is not provided, the minimum foundation requirements for stud bearing walls shall be as set forth in Table No. 1809.7 of the International Building Code.

Exceptions: 1. A one-story wood or metal frame building not used for human occupancy and not over 400 square feet in floor area may be constructed with walls supported on a wooden foundation plate when approved by the building official. 2. The support of buildings by posts embedded in earth shall be designed as specified in Section 1810 of the International Building Code. Wood posts or poles embedded in earth shall be pressure treated with an approved preservative. Steel posts or poles shall be protected as specified in Subsection 1810.3.2.5 of the International Building Code.

- D. SECTION 1808, FOUNDATIONS, Subsection 1808.7, Foundations on or Adjacent to Slopes, Subsubsection 1808.7.4, Foundation Elevation, is hereby amended by adding the following subparagraph, to read as follows:

SECTION 1808 - FOUNDATIONS

...

1808.7 Foundations On or Adjacent to Slopes.

...

1808.7.4 Foundation Elevation.

...

No modification of any existing road ditch causing a decrease in the capacity of the ditch is permitted. An approved road ditch culvert installation shall be completed prior to receipt of any approval for excavation or foundation work. Provisions shall be made for the control and drainage of surface water around buildings and structures. [See also Appendix J of this code]

- E. SECTION 1809, SHALLOW FOUNDATIONS, Table 1809.7, Prescriptive Footings Supporting Walls of Light-Frame Construction, is hereby amended in its entirety to read as follows:

SECTION 1809 - SHALLOW FOUNDATIONS

BUILDING

...

**Table 1809.7
Prescriptive Footings Supporting Walls of Light-Frame Construction**

NUMBER OF FLOORS SUPPORTED BY THE FOUNDATION	THICKNESS OF FOUNDATION WALL (inches) Concrete Unit/Masonry	WIDTH OF FOOTING (inches)	THICKNESS OF FOOTING (inches)	DEPTH BELOW UNDISTURBED GROUND SURFACE (inches)
1	6	16	8	18
2	8	24	10	24
3-4	Engineering required	Engineering required	Engineering required	Engineering required

1. Where frost conditions or other unusual conditions are found, footings and foundations shall be as required in Subsection 1809.5 of the International Building Code.
2. The ground under the floor may be excavated to the elevation of the top of the footing.
3. Foundations may support a roof in addition to the stipulated number of floors. Foundations supporting roofs only shall be as required for supporting one floor.
4. Interior-stud-bearing walls are permitted to be supported by isolated footings. The footing width and length shall be twice the width shown in this table, and footings shall be spaced not more than 6 feet on center.
5. Measurements for minimum footing and foundation depths shall be from top of existing undisturbed natural grade, top of the building Pad grade, top of certified engineered Pad grade or as determined by an individually provided, lot specific engineered soils report and recommendations.

(Ord. No. 237, Enacted, 09/13/90; Ord. No. 296, Rep&ReEn, 07/22/93; Ord. No. 485, Rep&ReEn, 05/25/00; Ord. No. 576, Rep&ReEn, 01/22/04; Ord. No. 713, Rep&ReEn, 03/13/08; Ord. No. 788, Rep&ReEn, 04/24/14)

7-02-190 Amendment of Chapter 19, CONCRETE, of the International Building Code.

A. SECTION 1907, MINIMUM SLAB PROVISIONS, is hereby deleted in its entirety.

(Ord. No. 237, Enacted, 09/13/90; Ord. No. 296, Rep&ReEn, 07/22/93; Ord. No. 576, Rep&ReEn, 01/22/04; Ord. No. 713, Rep&ReEn, 03/13/08; Ord. No. 788, Rep&ReEn, 04/24/14)

7-02-200 Chapter 20, ALUMINUM, of the International Building Code.

(Ord. No. 237, Enacted, 09/13/90; Ord. No. 296, Rep&ReEn, 07/22/93; Ord. No. 576, Rep&ReEn, 01/22/04; Ord. No. 713, Rep&ReEn, 03/13/08; Ord. No. 788, Rep&ReEn, 04/24/14)

7-02-210 Amendment of Chapter 21, MASONRY, of the International Building Code.

- A. CHAPTER 21, MASONRY, is hereby amended by adding a new Section 2114 to read as follows:

SECTION 2114 - CHIMNEYS, FIREPLACES, BARBECUES, WOOD STOVES, AND OTHER SOLID-FUEL-BURNING APPLIANCES.

2114.1 General. Chimneys, flues, fireplaces, barbecues, wood stoves, and other solid-fuel-burning appliances (and their connections) shall conform to the requirements of this section.

2114.1.1 Installation. On or after December 31, 2001, no person, firm or corporation shall install a fireplace, wood stove or other solid-fuel-burning appliance, and the Town shall not approve or issue a permit to install same, unless the fireplace, wood stove or solid-fuel-burning appliance complies with at least one of the following:

1. The fireplace has a permanently installed gas or electric log insert.
2. The fireplace, wood stove, or other solid-fuel-burning appliance has been certified by the United States Environmental Protection Agency as conforming to 40 Code of Federal Regulations Part 60, Subpart AAA, effective July 1, 1990.
3. The fireplace, wood stove, or other solid-fuel-burning appliance has been tested and listed by a nationally-recognized testing agency as meeting performance standards equivalent to those adopted by 40 Code of Federal Regulations Part 60, Subpart AAA, effective July 1, 1990.
4. The fireplace has a permanently-installed wood stove insert that meets the requirements of subparagraph 2 or 3 above.

2114.1.2 Alterations. On or after December 31, 2001, no person, firm or corporation shall alter or remove a gas or electric log insert or wood stove insert from a fireplace for purposes of converting the fireplace to directly burn wood or other solid fuel, nor shall any person, firm or corporation alter a fireplace, wood stove or other solid-fuel-burning appliance in any manner that would void its certification or compliance with the requirements of this subsection.

2114.1.3 Penalties. Among other penalties that may apply, violations of this subsection are punishable as set forth in Section 7-01-130 of the Town Code.

2114.2 Definitions.

BARBECUE is a stationary open hearth of brazier, either fuel fired or electric, used for food preparation.

CHIMNEY is a hollow shaft containing one or more passage-ways, vertical or nearly so, for conveying products of combustion to the outside atmosphere.

CHIMNEY CLASSIFICATIONS:

Chimney, High-heat Industrial Appliance-type, is a factory-built, masonry or metal chimney suitable for removing the products of combustion from fuel-burning high-heat appliances producing combustion gases in excess of 2,000F (1093C) measured at the appliance flue outlet.

Chimney, Low-heat Industrial Appliance-type, is a factory-built, masonry or metal chimney suitable for removing the products of combustion from fuel-burning low-heat appliances producing combustion gases not in excess of 1,000F (538C) under normal operating conditions but capable of producing combustion gases of 1,400F (760C) during intermittent forced firing for periods up to one hour. All temperatures are measured at the appliance flue outlet.

Chimney, Medium-heat Industrial Appliance-type, is a factory-built, masonry or metal chimney suitable for removing the products of combustion from fuel-burning medium-heat appliances producing combustion gases not in excess of 2,000F (1093C) measured at the appliance flue outlet.

Chimney, Residential Appliance-type, is a factory-built or masonry chimney suitable for removing the products of combustion from residential-type appliances producing combustion gases not in excess of 1,000F (538C) measured at the appliance flue outlet.

CHIMNEY CONNECTOR is the pipe or breeching that connects a fuel-burning appliance to a chimney. (See International Mechanical Code, Chapter 8)

CHIMNEY, FACTORY-BUILT, is a chimney manufactured at a location other than the building site and composed of listed, factory-built components assembled in accordance with the terms of the listing to form the completed chimney.

CHIMNEY LINER is a lining material of fireclay or approved refractory brick. For recognized standards on fireclay and refractory brick see Chapter 35 of the International Building Code, ASTM C 27-98 (2002), Specification for Standard Classification of Fireclay and High-alumina Refractory Brick; or ASTM C 1261-04, Specification for Firebox Brick for Residential Fireplaces.

CHIMNEY, MASONRY is a chimney of masonry units, bricks, stones or listed masonry chimney units lined with approved flue liners. For the purpose of this chapter, masonry chimneys shall include reinforced concrete chimneys.

FIREBRICK is a refractory brick.

FIREPLACE is a hearth and fire chamber or similar prepared place which is built in conjunction with a chimney and designed to burn solid fuel or to accommodate a gas or electric log insert or similar device, and which is intended for occasional recreational or aesthetic use, not for cooking, heating or industrial processes.

FIREPLACE, FACTORY-BUILT is a listed assembly of a fire chamber, its chimney and related factory-made parts designed for unit assembly without requiring field

construction. Factory-built fireplaces are not dependent on mortar-filled joints for continued safe use.

FIREPLACE, MASONRY is a hearth and fire chamber of solid masonry units such as bricks, stones, masonry or reinforced concrete built with a suitable chimney.

SOLID FUEL includes, but is not limited to, wood, coal or other nongaseous or nonliquid fuels.

WOOD STOVE is a solid-fuel-burning heating appliance, including a pellet stove, which is either freestanding or designed to be inserted into a fireplace.

(Ord. No. 237, Enacted, 09/13/90; Ord. No. 296, Rep&ReEn, 07/22/93; Ord. No. 576, Rep&ReEn, 01/22/04; Ord. No. 713, Rep&ReEn, 03/13/08; Ord. No. 788, Rep&ReEn, 04/24/14)

7-02-220 Chapter 22, STEEL, of the International Building Code.

(Ord. No. 237, Enacted, 09/13/90; Ord. No. 296, Rep&ReEn, 07/22/93; Ord. No. 576, Rep&ReEn, 01/22/04; Ord. No. 713, Rep&ReEn, 03/13/08; Ord. No. 788, Rep&ReEn, 04/24/14)

7-02-230 Amendment of Chapter 23, WOOD, of the International Building Code.

- A. SECTION 2308, CONVENTIONAL LIGHT-FRAME CONSTRUCTION, Subsection 2308.8, Floor Joists, Subsubsection 2308.8.3, Framing Around Openings, is hereby amended by adding the following subparagraph, to read as follows:

SECTION 2308 - CONVENTIONAL LIGHT-FRAME CONSTRUCTION

...

2308.8 Floor Joists.

...

2308.8.3 Framing Around Openings.

...

Non-bearing walls shall have at least 2 framing members nailed together on each side of any door opening.

- B. SECTION 2308, CONVENTIONAL LIGHT-FRAME CONSTRUCTION, Subsection 2308.9, Wall Framing, Subsubsection 2308.9.2, Framing Details, is hereby amended by adding the following subparagraph, to read as follows:

SECTION 2308 - CONVENTIONAL LIGHT-FRAME CONSTRUCTION

...

2308.9 Wall Framing.

...

2308.9.2 Framing Details.

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...

Unless otherwise authorized by the building official, continuous framing shall be provided around the perimeter of any prefabricated tub or shower enclosure.

(Ord. No. 237, Enacted, 09/13/90; Ord. No. 296, Rep&ReEn, 07/22/93; Ord. No. 485, Rep&ReEn, 05/25/00; Ord. No. 576, Rep&ReEn, 01/22/04; Ord. No. 713, Rep&ReEn, 03/13/08; Ord. No. 788, Rep&ReEn, 04/24/14)

7-02-240 Chapter 24, GLASS AND GLAZING, of the International Building Code.

(Ord. No. 237, Enacted, 09/13/90; Ord. No. 296, Rep&ReEn, 07/22/93; Ord. No. 485, Rep&ReEn, 05/25/00; Ord. No. 576, Rep&ReEn, 01/22/04; Ord. No. 713, Rep&ReEn, 03/13/08; Ord. No. 788, Rep&ReEn, 04/24/14)

7-02-250 Chapter 25, GYPSUM BOARD AND PLASTER, of the International Building Code.

(Ord. No. 20, Enacted, 01/10/80; Ord. No. 56, Rep&ReEn, 08/27/81; Ord. No. 90, Rep&ReEn, 12/15/83; Ord. No. 154, Rep&ReEn, 08/27/87; Ord. No. 178, Renumbered, 05/26/88, 7-05-010; Ord. No. 237, Ren&Amd, 09/13/90, 7-09; Ord. No. 296, Rep&ReEn, 07/22/93; Ord. No. 485, Rep&ReEn, 05/25/00; Ord. No. 576, Rep&ReEn, 01/22/04; Ord. No. 713, Rep&ReEn, 03/13/08; Ord. No. 788, Rep&ReEn, 04/24/14)

7-02-260 Chapter 26, PLASTIC, of the International Building Code.

(Ord. No. 237, Enacted, 09/13/90; Ord. No. 296, Rep&ReEn, 07/22/93; Ord. No. 576, Rep&ReEn, 01/22/04; Ord. No. 713, Rep&ReEn, 03/13/08; Ord. No. 788, Rep&ReEn, 04/24/14)

7-02-270 Chapter 27, ELECTRICAL, of the International Building Code.

(Ord. No. 237, Enacted, 09/13/90; Ord. No. 296, Rep&ReEn, 07/22/93; Ord. No. 576, Rep&ReEn, 01/22/04; Ord. No. 713, Rep&ReEn, 03/13/08; Ord. No. 788, Rep&ReEn, 04/24/14)

7-02-280 Chapter 28, MECHANICAL SYSTEMS, of the International Building Code.

(Ord. No. 237, Enacted, 09/13/90; Ord. No. 296, Rep&ReEn, 07/22/93; Ord. No. 576, Rep&ReEn, 01/22/04; Ord. No. 713, Rep&ReEn, 03/13/08; Ord. No. 788, Rep&ReEn, 04/24/14)

7-02-290 Amendment of Chapter 29, PLUMBING SYSTEMS, of the International Building Code.

- A. SECTION 2902, MINIMUM PLUMBING FACILITIES, Subsection 2902.1, Minimum Number of Fixtures, Table 2902.1 Minimum Number of Required Plumbing Fixtures, is hereby amended by adding new footnotes to Table 2902.1, to read as follows:

SECTION 2902 - MINIMUM PLUMBING FACILITIES

...

Table 2902.1
Minimum Number of Required Plumbing Fixtures ^a
(See Sections 2902.2 and 2902.3)

...

- h. Water coolers, goose neck spigots at a provided non-restroom utility sink, or bottled water dispensers may be substituted for drinking fountains in B, M, and S occupancies with 15 or fewer occupants. Such water shall be free of charge and accessible to the public.
- i. Goose neck faucets on a lavatory or a hose bib located within a restroom may be substituted for the required utility sink in B, M, and S occupancies with 15 or fewer occupants. Hose bibs shall comply with Section 608.15.4.2 of the International Plumbing Code.
- j. Toilet facilities designed as Family or assisted-use and bath fixture restrooms shall apply toward 2-male/ 2- female minimum number requirements.
- k. Family or assisted-use toilet and bath fixtures restrooms shall consist of a minimum A117.1-2009 compliant water closet, urinal, lavatory sink and wall affixed baby changing table with accommodating accessible clearances per A117.1-2009.

(Ord. No. 20, Enacted, 01/10/80; Ord. No. 56, Rep&ReEn, 08/27/81; Ord. No. 57, Enacted, 09/17/81; Ord. No. 62, Rep&ReEn, 11/12/81; Ord. No. 90, Rep&ReEn, 12/15/83; Ord. No. 154, Repealed, 08/27/87; Ord. No. 154, Rep&ReEn, 08/27/87; Ord. No. 178, Ren&Amd, 05/26/88, 7-05-010; Ord. No. 237, Ren&Amd, 09/13/90, 7-09; Ord. No. 296, Enacted, 07/22/93; Ord. No. 296, Rep&ReEn, 07/22/93; Ord. No. 485, Rep&ReEn, 05/25/00; Ord. No. 576, Rep&ReEn, 01/22/04; Ord. No. 713, Rep&ReEn, 03/13/08; Ord. No. 788, Rep&ReEn, 04/24/14)

7-02-300 Chapter 30, ELEVATORS AND CONVEYING SYSTEMS, of the International Building Code.

(Ord. No. 296, Enacted, 07/22/93; Ord. No. 576, Rep&ReEn, 01/22/04; Ord. No. 713, Rep&ReEn, 03/13/08; Ord. No. 788, Rep&ReEn, 04/24/14)

7-02-310 Chapter 31, SPECIAL CONSTRUCTION, of the International Building Code.

(Ord. No. 296, Enacted, 07/22/93; Ord. No. 498, Rep&ReEn, 04/12/01; Ord. No. 576, Rep&ReEn, 01/22/04; Ord. No. 713, Rep&ReEn, 03/13/08; Ord. No. 788, Rep&ReEn, 04/24/14)

7-02-320 Chapter 32, ENCROACHMENTS INTO THE PUBLIC RIGHT-OF-WAY, of the International Building Code.

(Ord. No. 296, Enacted, 07/22/93; Ord. No. 576, Rep&ReEn, 01/22/04; Ord. No. 713, Rep&ReEn, 03/13/08; Ord. No. 788, Rep&ReEn, 04/24/14)

7-02-330 Chapter 33, SAFEGUARDS DURING CONSTRUCTION, of the International Building Code.

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(Ord. No. 20, Enacted, 01/10/80; Ord. No. 56, Rep&ReEn, 08/27/81; Ord. No. 90, Rep&ReEn, 12/15/83; Ord. No. 154, Rep&ReEn, 08/27/87; Ord. No. 178, Renumbered, 05/26/88, 7-05-010; Ord. No. 237, Ren&Amd, 09/13/90, 7-09; Ord. No. 296, Rep&ReEn, 07/22/93; Ord. No. 485, Rep&ReEn, 05/25/00; Ord. No. 576, Rep&ReEn, 01/22/04; Ord. No. 713, Rep&ReEn, 03/13/08; Ord. No. 788, Rep&ReEn, 04/24/14)

7-02-340 Amendment of Chapter 34, EXISTING STRUCTURES, of the International Building Code.

- A. SECTION 3401, GENERAL, Subsection 3401.3, Compliance, is hereby amended to read as follows:

SECTION 3401 - GENERAL

...

3401.3 Compliance. Alterations, repairs, additions and changes of occupancy to existing structures shall comply with the provisions for alterations, repairs, additions and changes of occupancy in the International Energy Conservation Code, International Fire Code, International Fuel Gas Code, International Plumbing Code, International Property Maintenance Code, International Mechanical Code, International Residential Code and National Electrical Code.

(Ord. No. 237, Enacted, 09/13/90; Ord. No. 296, Rep&ReEn, 07/22/93; Ord. No. 576, Rep&ReEn, 01/22/04; Ord. No. 713, Rep&ReEn, 03/13/08; Ord. No. 788, Rep&ReEn, 04/24/14)

7-02-350 Chapter 35, REFERENCE STANDARDS, of the International Building Code.

(Ord. No. 237, Enacted, 09/13/90; Ord. No. 296, Rep&ReEn, 07/22/93; Ord. No. 713, Rep&ReEn, 03/13/08; Ord. No. 788, Rep&ReEn, 04/24/14)

7-02-350.C Appendix C, GROUP U - AGRICULTURAL BUILDINGS, of the International Building Code.

(Ord. No. 576, Enacted, 01/22/04; Ord. No. 713, Rep&ReEn, 03/13/08; Ord. No. 788, Rep&ReEn, 04/24/14)

7-02-350.F Appendix F, RODENTPROOFING, of the International Building Code.

(Ord. No. 576, Enacted, 01/22/04; Ord. No. 713, Rep&ReEn, 03/13/08; Ord. No. 788, Rep&ReEn, 04/24/14)

7-02-350.H Appendix H, SIGNS, of the International Building Code.

(Ord. No. 576, Enacted, 01/22/04; Ord. No. 713, Rep&ReEn, 03/13/08; Ord. No. 788, Rep&ReEn, 04/24/14)

7-02-350.I Appendix I, PATIO COVERS, of the International Building Code.

(Ord. No. 576, Enacted, 01/22/04; Ord. No. 713, Rep&ReEn, 03/13/08; Ord. No. 788, Rep&ReEn, 04/24/14)

7-02-350.J Amendment of Appendix J, GRADING, of the International Building Code.

Appendix J

GRADING

SECTION J101 - GENERAL

J101.1 Purpose. The purpose of this Appendix J is to safeguard life, limb, property and the public welfare by regulating excavation, grading, and drainage on private property.

J101.2 Scope. This Appendix sets forth rules and regulations to control excavation, grading, drainage and earthwork construction (including fills and embankments); establishes the administrative procedure for issuance of permits therefore; and provides for approval of plans and inspection of grading construction. Where conflicts occur between the technical requirements of this appendix and the soils report, the soils report shall govern.

J101.3 Flood Hazard Areas. The provisions of this Appendix J shall not apply to grading, excavation and earthwork construction, including fills and embankments, in floodways within flood hazard areas established in Section 1612.3 of the International Building Code or in flood hazard areas where design flood elevations are specified but floodways have not been designated, unless it has been demonstrated through hydrologic and hydraulic analyses performed in accordance with standard engineering practice that the proposed work will not result in any increase in the level of the base flood.

J101.4 Hazards. Whenever the building official determines that any existing construction, excavation, embankment, fill or drainage modification on private property has become a nuisance or hazard to the health, safety or welfare of the public, or endangers property, or adversely affects the safety, use or stability of a public way or drainage channel, the owner of the property upon which the nuisance or hazard is located (or other person or agent in control of said property), shall repair or eliminate said nuisance or hazard in conformance with the requirements of this code.

The duty to repair or eliminate such a nuisance or hazard shall arise upon receipt of written notice from the building official in accordance with the procedural requirements of the International Property Maintenance Code as adopted and amended in Article 7-07 of Chapter 7 "BUILDING" of the Prescott Valley Town Code. Repair or elimination of such nuisances or hazards shall then be completed within the period specified in the notice. Examples of nuisances and hazards include, but are expressly not limited to, the following:

1. Alteration of the course of surface water, drainage ways or flood water by construction of buildings, walls, fences, berms, curbs, or any other excavation, fill or structure.
2. Alteration of a Town road ditch with fill dirt prior to the installation of an approved driveway culvert.
3. Accumulation of weeds, rubbish, garbage or trash of any type in drainage ways.
4. Destruction or damage to existing drainage facilities.

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5. Contamination of a drainage way.
6. Creation of nuisance water.

SECTION J102 - DEFINITIONS

J102.1 Definitions. For the purposes of this Appendix J, the following definitions shall apply:

APPROVAL. The proposed work or completed work conforms to this Appendix, as amended, in the opinion of the building official.

APPROVAL or APPROVED BY THE BUILDING OFFICIAL. The proposed work or completed work is approved by the building official and the Town Engineer or his designee.

AS-GRADED. The extent of surface conditions on completion of grading.

BEDROCK. The in-place solid rock.

BENCH. A relatively level step excavated into earth material on which fill is to be placed.

BORROW. Each material acquired from an off-site location for use in grading on a site.

BUILDING OFFICIAL. The Building Official as defined in Section 7-01-040 of the Town of Prescott Valley Administrative Code.

CIVIL ENGINEER. A professional engineer registered in Arizona to practice in the field of civil works.

COMPACTION. The densification of a fill by mechanical means.

CUT. See Excavation.

DEVELOPER. The owner of property who builds or improves structures or appurtenances to structures on said property, or who contracts with a general contractor or specialty contractors, licensed by the appropriate jurisdiction, for such building or improvement of structures on said property.

DOWN DRAIN. A device for collecting water from a swale or ditch located on or above a slope, and safely delivering it to an approved drainage facility.

DRAINAGE. The outflow or withdrawal of water from one location to another.

EARTH MATERIAL. Any rock, natural soil or fill, or any combination thereof.

ENGINEERING GEOLOGIST. A geologist experienced and knowledgeable in engineering geology.

ENGINEERING GEOLOGY. The application of geologic knowledge and principles in the investigation and evaluation of naturally-occurring rock and soil for use in the design of civil

works.

EROSION. The wearing away of the ground surface as a result of the movement of wind, water or ice.

EXCAVATION. The removal of earth material by artificial means, also referred to as a cut.

FILL. Deposition of earth materials by artificial means.

GEOTECHNICAL ENGINEER. [See definition of “SOILS ENGINEER”]

GRADE. The vertical location of the ground surface.

GRADE, EXISTING. The grade prior to grading.

GRADE, FINISHED. The grade of the site at the conclusion of all grading efforts.

GRADE, ROUGH. The stage at which the grade approximately conforms to the approved plan.

GRADING. An excavation or fill or combination thereof.

KEY. A designed, compacted fill placed in a trench excavated in earth material beneath the toe of a proposed fill slope.

NUISANCE WATER. The ponding or drainage of water in areas other than designated detention basins or designated or natural drainage ways, which causes a health or safety hazard to the public.

PROFESSIONAL INSPECTION. The inspection required by this code to be performed by the civil engineer, soils engineer or engineering geologist. Such inspections include those performed by persons supervised by such engineers or geologists. Said inspections shall be sufficient for the engineer or his designee to form an opinion relating to the conduct and quality of the work.

SITE. Any lot or parcel of land or contiguous combination thereof, under the same ownership, where grading is performed or permitted.

SLOPE. An inclined ground surface, the inclination of which is expressed as a ratio of horizontal distance to vertical distance.

SOIL. Naturally-occurring superficial deposits overlying bedrock.

SOILS ENGINEER (GEOTECHNICAL ENGINEER). An engineer experienced and knowledgeable in the practice of soils engineering (geotechnical engineering).

SOILS ENGINEERING (GEOTECHNICAL ENGINEERING). The application of the principles of soils mechanics in the investigation, evaluation and design of civil works involving the use of earth materials, and the inspection or testing of the construction thereof.

STRUCTURE. Structural paving systems. Structure may also refer to that which is built or

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constructed, an edifice or building of any kind, or any piece of work artificially built up or composed of parts joined together in some definite manner.

TERRACE. A relatively level step constructed in the face of a graded slope surface for drainage and maintenance purposes.

SECTION J103 - PERMITS

J103.1 Permits Required. No person shall do any grading or drainage modification without first obtaining a grading and drainage permit from the building official. A separate permit shall be required for each site and may cover excavations, fills and drainage modifications.

Exceptions. A grading and drainage permit is not required for the following:

1. When approved by the building official, grading in an isolated, self-contained area (if there is no danger to private or public property).
2. An excavation below finished grade footings for basements and footings of a building, retaining wall or other structure authorized by a valid building permit.
3. Cemetery graves.
4. Refuse disposal sites controlled by other regulations.
5. Excavations for wells, tunnels, or public utilities (as well as private septic systems approved by the appropriate jurisdiction).
6. Mining, quarrying, excavating, processing, stockpiling of rock, sand, gravel, aggregate or clay where established and provided for by law, provided such operations do not affect the lateral support or increase the stresses in or pressure upon any adjacent or contiguous property.
7. Exploratory excavations performed under the direction of soil engineers or engineering geologists.

Exemption from the permit requirements of this Appendix shall not be deemed to grant authorization for any work to be done in any manner in violation of the provisions of this Appendix or any other provisions of the Prescott Valley Town Code.

J103.2 Permit Application and Submittals. The provisions of Section 7-01-150 "Application for Permit" of the Town of Prescott Valley Administrative Code apply to grading and drainage. Applications for grading and drainage permits shall state the estimated quantities of work involved. Grading shall be designated as either "engineered grading" (J103.2.1) or "regular grading" (J103.2.2).

J103.2.1 Engineered Grading. Engineered grading is grading designed, specified and supported by data generated by a certified engineer. "Engineered grading" shall be required by the building official for the following:

1. Grading in excess of 5,000 cubic yards.
2. Grading on any parcel affected by a Federal Emergency Management Agency (FEMA) 100-year floodplain.
3. Grading for any development considered by the building official to be other than single-family residential or multi-family of 4 units or less on individually-platted lots.
4. Grading or drainage modification where, in the opinion of the building official special conditions or unusual hazards exist.

The building official may approve “regular grading” for these situations, provided it can be demonstrated that the intent of this Appendix has been satisfied.

J103.2.1.1 Engineered Grading Application. Application for an engineered grading and drainage permit shall be accompanied by three sets of drawings and specifications and supporting data consisting of a soils engineering report and engineering geology report. The plan drawings and specifications shall be prepared and signed by an individual licensed in Arizona to prepare such plan drawings or specifications. The set of drawings and specifications with the required soils engineering and engineering geology reports are together an Engineered Drainage and Grading Plan. The requirement for the engineering geology report or soils engineering report may be waived by the building official for grading not intended to support structures, or where the building official has determined that no hazard or nuisance will occur as a result of such a waiver. However, no waiver will be permitted by the building official for grading in excess of 5,000 cubic yards. Engineered Drainage and Grading Plan specifications shall contain information covering material requirements and construction.

Plan drawings shall be drawn to scale upon substantial paper or mylar and shall be of sufficient clarity to indicate the nature and extent of the work proposed and to show in detail that they will conform to the provisions of the International Building Code and other relevant laws, ordinances, rules and regulations. The first sheet of each set of plan drawings shall give the location of the work, the name and address of the owner, and the person by whom they were prepared. The plan drawings shall include the following information:

1. General vicinity of the proposed site and the estimated quantities of earth work involved.
2. Property limits, rights-of-way and easements, along with accurate contours of existing ground, details of terrain, and area drainage.
3. Limiting dimensions, elevations or finished contours to be achieved by the grading, and proposed drainage channels and related construction.
4. Detailed plans of all surface and subsurface drainage devices, walls, cribbing, dams and other protective devices to be constructed with or as a part of the proposed work, together with a map showing the drainage area and the estimated runoff of the area served by any drains.
5. Location and finished floor elevation of any buildings or structures on the property

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where the work is to be performed, and the location of any buildings or structures on land of adjacent owners which are within 15 feet of the property (or which may be affected by the proposed grading operations).

6. The recommendations included in the soils engineering report and the engineering geology report. When approved by the building official, specific recommendations contained in the soils engineering report and the engineering geology report may be included by reference.
7. Dates of the soils engineering and engineering geology reports, together with the names, addresses and phone numbers of the firms or individuals who prepared the same.
8. If the site is affected by a FEMA 100-year floodplain or, in the opinion of the building official an unusual hazard exists, a certification that the finished floor of all buildings is at least 12 inches above the 100-year flood water surface elevation and that flood waters are not diverted to adversely impact adjoining, previously non-impacted property.
9. If required by the building official, on-site detention volumes, flow control structures, and design and construction details.

J103.2.1.1.1 Soils Engineering Report. The soils engineering report required by Subsection J103.2.1.1 above shall include data regarding the nature, distribution and strength of existing soils, conclusions and recommendations for grading procedures, and design criteria for corrective measures, including buttress fills when necessary. The report shall also include an opinion on the adequacy for the intended use of the site to be developed by the proposed grading, which opinion shall discuss soils engineering factors, including the stability of slopes.

J103.2.1.1.2 Engineering Geology Report. The engineering geology report required by Subsection J103.2.1.1 above shall include an adequate description of the geology of the site, and shall reach conclusions and provide recommendations regarding the effect of geologic conditions on the proposed development. It shall also include an opinion as to the adequacy for the intended use of the site to be developed by the proposed grading, which opinion shall discuss geologic factors.

J103.2.1.1.3 Liquefaction Study. The building official may require a geotechnical investigation in accordance with Section 1613 of the International Building Code. When, during the course of an investigation, all of the following conditions are discovered, the report shall address the potential for liquefaction:

1. Shallow ground water, 50 feet (15,240 mm) or less.
2. Unconsolidated sandy alluvium.
3. Seismic Design Categories C, D and E as established in Section 1613.5.5 and Table 1613.5.5 of the International Building Code.

J103.2.2 Regular Grading. All grading or drainage modifications that are not “Engineered Grading” as defined in Section J103.2.1 above.

J103.2.2.1 Regular Grading Application. Each application for a regular grading and drainage permit shall be accompanied by three sets of plan drawings that are sufficiently clear to indicate the nature and extent of the proposed work. The plan drawings shall give the location of the work, the name of the owner, and the name of the person who prepared the drawings. The plan drawings shall show the following (to scale):

1. General vicinity of the proposed site and the estimated quantities of earth work involved.
2. Property limits, rights-of-way and easements, and elevations of existing grade at all property corners, structure corners, and the road shoulder opposite the driveway; and flow lines of all drainage courses within 15 feet of the proposed grading.
3. Limiting dimensions and depth and slope of cut and fill.
4. Location and finished floor elevations of any buildings or structures where work is to be performed, and the location of any buildings or structures on adjacent property within 15 feet of the proposed grading.
5. If required by the building official, a cross-section drawing through the deepest cut and/or fill showing any building or structure, or any drainage course thereon.
6. Location, direction and dimensions of drainage swales or berms.
7. Location, dimensions and details of any proposed erosion protection, retaining or landscaping walls, or other features.
8. (If required by the building official) on-site detention volumes, flow control structures, and design and construction details.

J103.2.3 Modifications. The building official may require that grading and drainage operations and project designs be modified if weather-generated problems occur which were not considered at the time the permit was originally issued. The building official shall determine the impact of proposed grading and/or drainage modifications.

J103.3 Fees. Fees shall be assessed in accordance with the provisions of this Appendix.

J103.3.1 Plan Review Fees. When a plan or other data is required to be submitted, a plan review fee shall be paid at the time of submitting plans and specifications for review. Said plan review fee shall be as set forth in Section 7-01-200 of the Town of Prescott Valley Administrative Code. Separate plan review fees shall apply to retaining walls or major drainage structures as set forth in Section 7-01-200 of the Town of Prescott Valley Administrative Code. For excavation and fill on the same site, the fee shall be based on the volume of excavation or fill, whichever is greater.

J103.3.2 Permit Fees. A fee for each grading and drainage permit shall be paid as set forth in Section 7-01-200 of the Town of Prescott Valley Administrative Code. Separate permits and fees shall apply to retaining walls or major drainage structures as set forth in Section 7-01-200 of the Town of Prescott Valley Administrative Code. There shall be no separate charge

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for standard terrace drains and similar facilities. Where the drainage and grading plans are an integral part of a larger building permit application and development, the permit and inspection fees will be assessed to the overall larger project.

J103.4 Bonds. The building official may require bonds in such form and amounts as he deems necessary to assure that the work, if not completed in accordance with the approved plans and specifications, will be corrected to eliminate hazardous conditions. In lieu of a surety bond, the applicant may file a cash bond or irrevocable instrument of credit with the building official in an amount equal to what would be required in a surety bond.

J103.5 Permit Issuance. The provisions of Section 7-01-160 "Permit Issuance" of the Town of Prescott Valley Administrative Code apply to grading and drainage permits.

SECTION J104 - INSPECTIONS

J104.1. General. Grading and drainage operations for which a permit is required shall be subject to inspection by the building official. Professional inspection of grading operations by civil engineers, soils engineers and engineering geologists may be required for engineered grading and regular grading as determined by the building official.

J104.1.1 Civil Engineer. When an inspection is required by a civil engineer, that engineer shall provide professional inspection within his/her area of technical specialty, consisting of observation and review as to the establishment of line, grade and surface drainage of the development area. If revised plans are required during the course of the work, they shall be prepared by a civil engineer.

J104.1.2 Soils Engineer. When an inspection is required by a soils engineer, that engineer shall provide professional inspection within his/her area of technical specialty, including observation during grading and testing for required compaction. The soils engineer shall provide sufficient observation during the preparation of the natural ground and placement and compaction of the fill to verify that such work is being performed in accordance with the conditions of the approved plan and the appropriate requirements of this Appendix. Revised recommendations relating to conditions differing from the approved soils engineering and engineering geology reports shall be submitted by the soils engineer to the permittee, the building official and the civil engineer.

J104.1.3 Engineering Geologist. When an inspection is required by an engineering geologist, that geologist shall provide professional inspection within his/her area of technical specialty, including professional inspection of the bedrock excavation to determine if conditions encountered are in conformance with the approved report. Revised recommendations relating to conditions differing from the approved engineering geology report shall be submitted by the engineering geologist to the soils engineer.

J104.2 Responsible Party. The permittee shall be responsible that work be performed in accordance with approved plans and specifications, and in conformance with the provisions of this Appendix. The permittee shall engage consultants, if necessary, to provide professional inspections on a timely basis. The permittee shall act as a coordinator between the consultants, any building contractor, and the building official. In the event of changed conditions, the permittee shall be responsible for informing the building official of such change, and shall provide revised plans for approval. Additional fees may be assessed in

accordance with Section 7-01-200 of the Town of Prescott Valley Administrative Code.

J104.3 Transfer of Responsibility. If either the civil engineer, the soils engineer, or the engineering geologist of record is changed during grading, the work shall be stopped until the replacement has agreed in writing to accept his/her predecessor's technical responsibilities for completion and approval of the work. It shall be the duty of the permittee to notify the building official in writing of such change prior to resuming the grading work.

J104.4 Notice of Noncompliance. If, in the course of fulfilling their respective duties under this Appendix, the civil engineer, the soils engineer or the engineering geologist finds that the work is not being done in conformance with this Appendix or the approved grading and drainage plans, the discrepancies shall be reported immediately in writing to the permittee and to the building official.

J104.5 Final Reports. Upon completion of grading and drainage work for engineered grading (or regular grading involving professional inspection(s)), permittee shall provide the following reports, drawings and supplements to the building official:

1. An as-built Drainage and Grading Plan (mylar and digital "PDF" image) prepared by a civil engineer, showing property limits, original ground surface elevations, as-graded ground surface elevations, lot drainage patterns, finished floor elevations of all buildings and structures, the locations and elevations of surface drainage facilities and the outlets of subsurface drains. At construction locations, elevations and details of subsurface drains shall be shown as reported by the soils engineer. The civil engineer shall state in a sealed letter of certification that the as-built plan, to the best of his/her knowledge, certifies that the work within his/her area of responsibility was performed in accordance with the final approved Drainage and Grading Plan.

*An as-built Drainage and Grading Plan may be required for drainage and grading work completed under a regular grading and drainage permit if, in the opinion of the building official, the finished drainage or grading work is substantially different than that proposed in the drainage and grading plan approved at the time of permitting. The as-built plan must include as-built information on all items found on the earlier proposed Drainage and Grading Plan.

2. A report prepared by a soils engineer including locations and elevations of field density tests, summaries of field and laboratory tests, other substantiating data, and comments on any changes made during grading and their effect on the recommendations made in the approved soils engineering investigation report. The soils engineer shall submit a statement in the report that, to the best of his/her knowledge, the work within his/her area of responsibility was performed in accordance with the approved soils engineering report and applicable provisions of this Appendix.
3. A report prepared by an engineering geologist including a final description of the geology of the site and any new information disclosed during the grading, and the effect of same on recommendations incorporated in the approved grading plan. The engineering geologist shall submit a statement in the report that, to the best of his/her knowledge, the work within his/her area of responsibility was performed in accordance with the approved engineering geologist report and applicable provisions

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of this Appendix.

4. The grading contractor shall submit, in a form prescribed by the building official, a statement of conformance to the as-built plan and the specifications.

J104.6 Notice of Completion. The permittee shall notify the building official when the grading operation is ready for final inspection. Final approval shall not be given until all work, including installation of all drainage facilities and their protective devices as well as all erosion-control measures, have been completed in accordance with the final, approved grading plan and the Final Reports referenced in Subsection J104.5 above have been submitted.

SECTION J105 - GRADING AND DRAINAGE WORK

J105.1 Cuts. The slope of cut surfaces shall be no steeper than is safe for the intended use, and in no event shall be steeper than 2' horizontal to 1' vertical (2:1) unless the permittee furnishes a soils engineering or an engineering geology report (or both) stating that the site has been investigated, and giving an opinion that a cut at a steeper slope will be stable and not create a hazard to public or private property. Acceptance of slopes greater than 2:1 shall be at the discretion of the building official.

Exception: In the absence of an approved soils engineering report, the requirements in Section J105.2 above may be waived in whole or part for minor cuts not intended to support structures.

J105.2 Fills. Unless otherwise recommended in the approved soils engineering report, fills shall conform to the provisions of this Appendix.

Exception: In the absence of an approved soils engineering report, the requirements in this Section J105.2 may be waived in whole or part for minor fills not intended to support structures.

J105.2.1 Preparation of Ground. Fill slopes shall not be constructed on natural slopes steeper than 2:1. The ground surface shall be prepared to receive fill by removing vegetation, noncomplying fill, topsoil and other unsuitable materials, and scarifying the ground to provide a bond with the new fill. Where slopes are steeper than 5:1 and the height is greater than 5 feet, the ground surface shall be prepared by benching into sound bedrock or other competent material as determined by the soils engineer or the building official. The bench under the toe of a fill on a slope steeper than 5:1 shall be at least 10 feet wide. Either the area beyond the toe of fill shall be sloped for sheet overflow, or a drain shall be provided. When fill is to be placed over a cut, the bench under the toe of fill shall be at least 10 feet wide. Furthermore, the cut shall be made before placing the fill and shall first be accepted by a soils engineer or engineering geologist (or both) as being suitable foundation for fill.

J105.2.2 Fill Material. Detrimental amounts of organic material shall not be permitted in fills. Except as permitted by the building official, no rock or similar irreducible material with a maximum dimension greater than 12 inches shall be buried or placed in fills.

Exception: The building official may permit placement of larger rock when the soils engineer properly devises a method of placement, continuously inspects its

placement, and approves the fill stability. In that event, the following conditions shall apply:

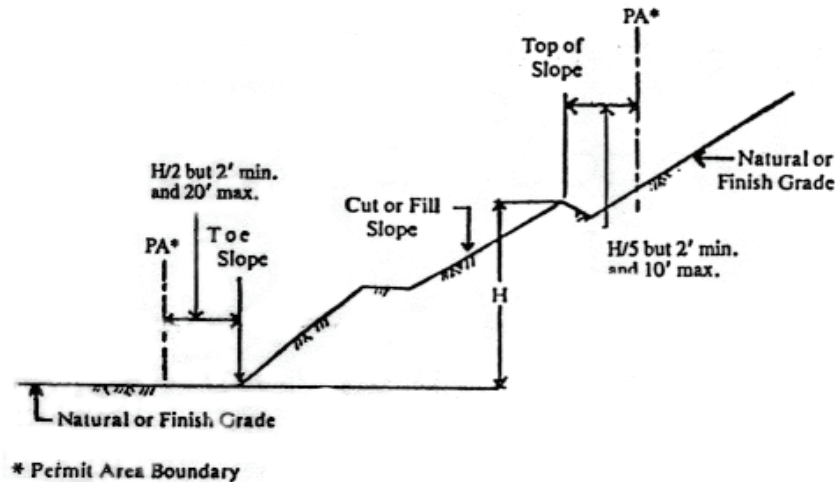
1. Prior to issuance of the grading permit, potential rock disposal areas shall be delineated on the grading plan.
2. Rock sizes greater than 12 inches in maximum dimension shall be 10 feet or more below grade (measured vertically).
3. Rocks shall be placed so as to assure filling of all voids with well-graded soil.

J105.2.3 Compaction. All fills shall be compacted to a minimum of 90 percent of maximum density as determined by ASTM D1557, modified proctor, in lifts not exceeding 12 inches in depth.

J105.2.4 Slope. The slope of fill surfaces shall be no steeper than is safe for the intended use, and in no event shall fill slopes be steeper than 2' horizontal to 1' vertical (2:1) without the justification of a soils report.

J105.3 Setbacks. Cut and fill slopes shall be set back from site boundaries in accordance with this Appendix. Setback dimensions shall be horizontal distances measured perpendicular to the site boundary. Setback dimensions shall be as shown in the following Figure A-J-1 of this Appendix.

FIGURE A-J-1 - SETBACK DIMENSIONS



J105.3.1 Top of Cut Slope. The top of cut slopes shall not be made nearer to a site boundary line than one fifth of the vertical height of the cut, with a minimum of 2 feet and a maximum of 10 feet. When a public or utility easement exists on or through a site (or, in the opinion of the building official, may be required in the future), the top of cut slopes shall be made not nearer to the existing or proposed easement boundary than one-fifth of the vertical height of

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the cut, with a maximum of 10 feet. The setback may need to be increased for any required interceptor drains or berms. Interceptor drains or berms are not allowed within existing easements unless the easement is designated as a drainage easement. Where a cut slope is to be located near the site boundary, or where a cut slope has a vertical height greater than 30 inches and less than 10 feet with a slope of 2' horizontal to 1' vertical (2:1) or less, or where a cut slope has a vertical height greater than 10 feet with a slope of less than 3' horizontal to 1' vertical (3:1), the owner/developer of the property shall submit to the building official a plan endorsed by a qualified engineer to implement reasonable safety precautions in order to eliminate any and all hazards arising from the cut slope or, in the alternative, shall install safety precautions in accordance with the standards set forth in Section 1013 "Guards" in Chapter 10 "Means of Egress" of the International Building Code (as hereinafter adopted and amended by Chapter 7 of the Prescott Valley Town Code). Safety precautions endorsed by an engineer may include, but are not limited to:

1. additional setbacks;
2. provision for walls, fencing or barricading for retaining and/or fall protection;
3. mechanical, chemical or physical treatment of the cut slope surface to minimize erosion; and
4. erosion control and provision for the control of surface waters.

J105.3.2 Toe of Fill Slope. The toe of fill slope shall be made not nearer to the site boundary line than one-half the height of the slope, with a minimum of 2 feet and a maximum of 20 feet. When a public or utility easement exists on or through a site (or, in the opinion of the building official, such an easement may be required in the future), the toe of fill slope shall be made no nearer than the existing or proposed easement boundary, with no fill material being placed in the easement. Where a fill slope is to be located near the site boundary, or where a fill slope has a vertical height greater than 30 inches and less than 10 feet with a slope of 2' horizontal to 1' vertical (2:1) or less, or where a fill slope has a vertical height greater than 10 feet with a slope of less than 3' horizontal to 1' vertical (3:1), the owner/developer of the property shall submit to the building official a plan endorsed by a qualified engineer to implement reasonable safety precautions in order to eliminate any and all hazards arising from the fill slope or, in the alternative, shall provide safety precautions in accordance with the standards set forth in Section 1013 "Guards" in Chapter 10 "Means of Egress" of the International Building Code (as hereinafter adopted and amended by Chapter 7 of the Prescott Valley Town Code). Safety precautions endorsed by an engineer may include, but are not limited to:

1. additional setbacks;
2. provision for walls, fencing or barricading for retaining and/or fall protection;
3. mechanical, chemical or physical treatment of the fill slope surface to minimize erosion; and
4. erosion control and provision for the control of surface waters.

J105.3.3 Modification of Slope Location. The building official may require or approve

alternate setbacks. The building official may also require an investigation and recommendation by a qualified engineer or engineering geologist to demonstrate that the intent of this Appendix has been satisfied in a particular case.

J105.4 Drainage and Terracing. Unless otherwise indicated on the approved grading and drainage plan, drainage facilities and terracing shall conform to the provisions of this Appendix for cut or fill slopes steeper than 3' horizontal to 1' vertical (3:1).

J105.4.1 Terrace. Terraces at least 6 feet in width shall be established at not more than 30-foot vertical intervals on all cut or fill slopes to control surface drainage and debris. However, where only one terrace is required, it shall be at mid-height. For cut or fill slopes greater than 60 feet and up to 120 feet in vertical height, one terrace at approximately mid-height shall be 12 feet in width. Terrace widths and spacing for cut and fill slopes greater than 120 feet in height shall be designed by a civil engineer and approved by the building official. Suitable access, including access for maintenance vehicles, shall be provided to permit proper cleaning and maintenance of terraces.

All swales or ditches on terraces shall be designed and constructed to prevent erosion, provide suitable drainage and provide durability.

J105.4.2 Subsurface Drainage. Cut and fill slopes shall be provided with subsurface drainage as necessary for stability.

J105.4.3 Disposal. All drainage facilities shall be designed to carry waters to the nearest practicable drainage way approved by the building official (or by another appropriate jurisdiction), as a safe place to deposit such waters. The building official may require that the permittee secure necessary drainage easements and provide a watercourse to a place approved by the building official (or another appropriate jurisdiction) to receive such waters. Erosion of ground in the area of discharge shall be prevented by installation of noncorrosive downdrains or other devices.

Building pads shall have a drainage gradient of 2 percent toward approved drainage facilities, unless the requirement is waived by the building official.

EXCEPTION: The gradient from a building pad may be 1 percent if all of the following conditions exist throughout the permit area:

1. No fills are greater than 10 feet in maximum depth.
2. No finished cut or fill slope faces have a vertical height in excess of 10 feet.
3. No existing slope faces which have a slope face steeper than 10' horizontal to 1' vertical (10:1) have a vertical height in excess of 10 feet.

J105.4.4 On-Site Detention. All developments, except single-family residential or multi-family residential of 2 units or less on individually platted lots or located in areas where regional detention has been approved through the adoption of a master plan, shall be required to provide on-site detention of storm water.

Wherever possible, storm water detention should be implemented on a regional basis. The

Article 7-03 ADOPTION OF THE INTERNATIONAL RESIDENTIAL CODE FOR ONE- AND TWO-FAMILY DWELLINGS (IRC)

- 7-03-005 Adoption of the International Residential Code for One- and Two-Family Dwellings.
- 7-03-010 Amendment to Chapter 1, SCOPE AND ADMINISTRATION, of the International Residential Code for One- and Two-Family Dwellings.
- 7-03-020 Amendment of Chapter 2, DEFINITIONS, of the International Residential Code For One- And Two-Family Dwellings.
- 7-03-030 Amendment of Chapter 3, BUILDING PLANNING, of the International Residential Code for One- and Two-Family Dwellings.
- 7-03-040 Amendment of Chapter 4, FOUNDATIONS, of the International Residential Code for One- and Two-Family Dwellings.
- 7-03-050 Amendment of Chapter 5, FLOORS, of the International Residential Code for One- and Two-Family Dwellings.
- 7-03-060 Amendment of Chapter 6, WALL CONSTRUCTION, of the International Residential Code for One- and Two-Family Dwellings.
- 7-03-070 Amendment of Chapter 7, WALL COVERING, of the International Residential Code for One- and Two-Family Dwellings.
- 7-03-080 Chapter 8, ROOF-CEILING CONSTRUCTION, of the International Residential Code for One- and Two- Family Dwellings.
- 7-03-090 Amendment of Chapter 9, ROOF ASSEMBLIES, of the International Residential Code for One- and Two-Family Dwellings.
- 7-03-100 Chapter 10, CHIMNEYS AND FIREPLACES, of the International Residential Code for One- and Two- Family Dwellings.
- 7-03-110 Reserved.
- 7-03-120 Chapter 12, MECHANICAL ADMINISTRATION, of the International Residential Code for One- and Two- Family Dwellings.
- 7-03-130 Amendment of Chapter 13, GENERAL MECHANICAL SYSTEM REQUIREMENTS, of the International Residential Code for One- and Two-Family Dwellings.
- 7-03-140 Chapter 14, HEATING AND COOLING EQUIPMENT AND APPLIANCES, of the International Residential Code for One- and Two- Family Dwellings.
- 7-03-150 Amendment of Chapter 15, EXHAUST SYSTEMS, of the International Residential Code for One- and Two- Family Dwellings.
- 7-03-160 Chapter 16, DUCT SYSTEMS, of the International Residential Code for One- and Two- Family Dwellings.
- 7-03-170 Chapter 17, COMBUSTION AIR, of the International Residential Code for One- and Two- Family Dwellings.
- 7-03-180 Chapter 18, CHIMNEYS AND VENTS, of the International Residential Code for One- and Two- Family Dwellings.
- 7-03-190 Chapter 19, SPECIAL APPLIANCES, EQUIPMENT AND SYSTEMS, of the International Residential Code for One- and Two- Family Dwellings.
- 7-03-200 Chapter 20, BOILERS AND WATER HEATERS, of the International Residential Code for One- and Two- Family Dwellings.
- 7-03-210 Chapter 21, HYDRONIC PIPING, of the International Residential Code for One- and Two- Family Dwellings.
- 7-03-220 Chapter 22, SPECIAL PIPING AND STORAGE SYSTEMS, of the International Residential Code for One- and Two- Family Dwellings.
- 7-03-230 Chapter 23, SOLAR ENERGY SYSTEMS, of the International Residential Code

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- for One- and Two- Family Dwellings.
- 7-03-240 Amendment of Chapter 24, FUEL GAS, of the International Residential Code for One- and Two-Family Dwellings.
- 7-03-250 Chapter 25, PLUMBING ADMINISTRATION, of the International Residential Code for One- and Two- Family Dwellings.
- 7-03-260 Amendment of Chapter 26, GENERAL PLUMBING REQUIREMENTS, of the International Residential Code for One- and Two-Family Dwellings.
- 7-03-270 Amendment of Chapter 27, PLUMBING FIXTURES, of the International Residential Code for One- and Two- Family Dwellings.
- 7-03-280 Chapter 28, WATER HEATERS, of the International Residential Code for One- and Two- Family Dwellings.
- 7-03-290 Chapter 29, WATER SUPPLY AND DISTRIBUTION, of the International Residential Code for One- and Two- Family Dwellings.
- 7-03-300 Amendment of Chapter 30, SANITARY DRAINAGE, of the International Residential Code for One- and Two-Family Dwellings.
- 7-03-310 Chapter 31, VENTS, of the International Residential Code for One- and Two-Family Dwellings.
- 7-03-320 Chapter 32, TRAPS, of the International Residential Code for One- and Two-Family Dwellings.
- 7-03-330 Chapter 33, STORM DRAINAGE, of the International Residential Code for One- and Two- Family Dwellings.
- 7-03-340 Chapter 34, GENERAL REQUIREMENTS, of the International Residential Code for One- and Two- Family Dwellings.
- 7-03-350 Chapter 35, ELECTRICAL DEFINITIONS, of the International Residential Code for One- and Two- Family Dwellings.
- 7-03-360 Chapter 36, SERVICES, of the International Residential Code for One- and Two- Family Dwellings.
- 7-03-370 Chapter 37, BRANCH CIRCUIT AND FEEDER REQUIREMENTS, of the International Residential Code for One- and Two- Family Dwellings.
- 7-03-380 Chapter 38, WIRING METHODS, of the International Residential Code for One- and Two- Family Dwellings.
- 7-03-390 Amendment of Chapter 39, POWER AND LIGHTING DISTRIBUTION, of the International Residential Code for One- and Two-Family Dwellings.
- 7-03-400 Chapter 40, DEVICES AND LUMINAIRES, of the International Residential Code for One- and Two- Family Dwellings.
- 7-03-410 Chapter 41, APPLIANCE INSTALLATION, of the International Residential Code for One- and Two- Family Dwellings.
- 7-03-420 Chapter 42, SWIMMING POOLS, of the International Residential Code for One- and Two- Family Dwellings.
- 7-03-430 Chapter 43, CLASS 2 REMOTE-CONTROL SIGNALING AND POWER-LIMITED CIRCUITS, of the International Residential Code for One- and Two- Family Dwellings.
- 7-03-440 Chapter 44, REFERENCED STANDARDS, of the International Residential Code for One- and Two- Family Dwellings.
- 7-03-440.A Appendix A, SIZING AND CAPACITIES OF GAS PIPING, of the International Residential Code for One- and Two- Family Dwellings.
- 7-03-440.B Appendix B, SIZING OF VENTING SYSTEMS SERVING APPLIANCES EQUIPPED WITH DRAFT HOODS, CATEGORY I APPLIANCES, AND APPLIANCES LISTED FOR USE WITH TYPE B VENTS, of the International Residential Code for One- and Two- Family Dwellings.

- 7-03-440.C Appendix C, EXIT TERMINALS OF MECHANICAL DRAFT AND DIRECT-VENT VENTING SYSTEMS, of the International Residential Code for One- and Two-Family Dwellings.
 - 7-03-440.D Appendix D, RECOMMENDED PROCEDURE FOR SAFETY INSPECTION OF AN EXISTING APPLIANCE INSTALLATION, of the International Residential Code for One- and Two- Family Dwellings.
 - 7-03-440.F Appendix F, RADON CONTROL METHODS, of the International Residential Code for One- and Two- Family Dwellings.
 - 7-03-440.G Appendix G, SWIMMING POOLS, SPAS AND HOT TUBS, of the International Residential Code for One- and Two- Family Dwellings.
 - 7-03-440.H Appendix H, PATIO COVERS, of the International Residential Code for One- and Two- Family Dwellings.
 - 7-03-440.I Appendix I, PRIVATE SEWAGE DISPOSAL, of the International Residential Code for One- and Two- Family Dwellings.
 - 7-03-440.J Appendix J, EXISTING BUILDINGS AND STRUCTURES, of the International Residential Code for One- and Two- Family Dwellings.
 - 7-03-440.K Appendix K, SOUND TRANSMISSION, of the International Residential Code for One- and Two- Family Dwellings.
 - 7-03-440.M Appendix M, HOME DAY CARE - R-3 OCCUPANCY, of the International Residential Code for One- and Two- Family Dwellings.
 - 7-03-440.N Appendix N, VENTING METHODS, of the International Residential Code for One- and Two- Family Dwellings.
 - 7-03-440.O Appendix O, AUTOMATIC VEHICULAR GATES, of the International Residential Code for One- and Two- Family Dwellings.
 - 7-03-440.P Appendix P, SIZING OF WATER PIPING SYSTEM, of the International Residential Code for One- and Two- Family Dwellings.
 - 7-03-440.Q Appendix Q, ICC INTERNATIONAL RESIDENTIAL CODE ELECTRICAL PROVISIONS/NATIONAL ELECTRICAL CODE CROSS REFERENCE, of the International Residential Code for One- and Two- Family Dwellings.
- 7-03-005 Adoption of the International Residential Code for One- and Two-Family Dwellings.

The International Residential Code for One- and Two-Family Dwellings (International Residential Code), 2012 Edition, along with Appendices A, B, C, D, F, G, H, I, J, K, M, N, O, P, and Q, all as copyrighted by the International Code Council, with amendments contained in this document, are hereby adopted by reference as though fully set forth herein, as one of the technical codes of the Town of Prescott Valley. At least three (3) copies of the aforesaid IRC shall be filed in the Office of the Town Clerk and made available for public use and inspection.

(Ord. No. 8, Enacted, 06/28/79; Ord. No. 90, Ren&Amd, 12/15/83, 7-04; Ord. No. 154, Rep&ReEn, 08/27/87; Ord. No. 174, Amended, 02/25/88; Ord. No. 178, Rep&ReEn, 05/26/88; Ord. No. 237, Ren&Amd, 09/13/90, 7-01-020; Ord. No. 296, Rep&ReEn, 07/22/93; Ord. No. 375, Renumbered, 12/28/95, 7-03; Ord. No. 485, Amended, 05/25/00; Ord. No. 576, Rep&ReEn, 01/22/04; Ord. No. 713, Rep&ReEn, 03/13/08; Ord. No. 788, Rep&ReEn, 04/24/14)

- 7-03-010 Amendment to Chapter 1, SCOPE AND ADMINISTRATION, of the International

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Residential Code for One- and Two-Family Dwellings.

- A. SECTION R101, GENERAL, Section R101.1, Title, is hereby amended to read as follows:

SECTION R101 - GENERAL

R101.1 Title. These provisions shall be known as the Residential Code for One- and Two-Family Dwellings of the Town of Prescott Valley, and shall be cited as such and will be referred to herein as "this code."

- B. SECTION R101, GENERAL, is hereby amended by adding a new Subsection R101.4, to read as follows:

SECTION R101 - GENERAL

...

R101.4 Administration of International Residential Code for One- and Two-Family Dwellings.

This code shall be administered pursuant to Article 7-01, THE TOWN OF PRESCOTT VALLEY ADMINISTRATIVE CODE, in Chapter 7, BUILDING, of the Prescott Valley Town Code.

- C. SECTION R102, APPLICABILITY, is hereby deleted in its entirety.
- D. SECTION R103, DEPARTMENT OF BUILDING SAFETY, is hereby deleted in its entirety.
- E. SECTION R104, DUTIES AND POWERS OF THE BUILDING OFFICIAL, is hereby deleted in its entirety.
- F. SECTION R105, PERMITS, is hereby deleted in its entirety.
- G. SECTION R106, CONSTRUCTION DOCUMENTS, is hereby deleted in its entirety.
- H. SECTION R107, TEMPORARY STRUCTURES AND USES, is hereby deleted in its entirety.
- I. SECTION R108, FEES, is hereby deleted in its entirety.
- J. SECTION R109, INSPECTIONS, is hereby deleted in its entirety.
- K. SECTION R110, CERTIFICATE OF OCCUPANCY, is hereby deleted in its entirety.
- L. SECTION R111, SERVICE UTILITIES, is hereby deleted in its entirety.
- M. SECTION R112, BOARD OF APPEALS, is hereby deleted in its entirety.
- N. SECTION R113, VIOLATIONS, is hereby deleted in its entirety.
- O. SECTION R114, STOP WORK ORDER, is hereby deleted in its entirety.

(Ord. No. 237, Enacted, 09/13/90; Ord. No. 296, Rep&ReEn, 07/22/93; Ord. No. 485, Rep&ReEn, 05/25/00; Ord. No. 576, Rep&ReEn, 01/22/04; Ord. No. 713, Rep&ReEn, 03/13/08; Ord. No. 788, Rep&ReEn, 04/24/14)

7-03-020 Amendment of Chapter 2, DEFINITIONS, of the International Residential Code for One- and Two-Family Dwellings.

- A. SECTION R201, GENERAL, Subsection R201.4, Terms Not Defined, is hereby amended in its entirety to read as follows:

SECTION R201 - GENERAL

...

R201.4 Terms Not Defined. Where terms are not defined through the methods authorized by this section, such terms shall have ordinarily accepted meanings such as the context implies. Webster's Third New International Dictionary of the English Language, Unabridged, shall be considered as providing ordinarily accepted meanings and terms shall have their ordinarily accepted meanings within the context with which they are used.

- B. SECTION R202, DEFINITIONS, is hereby amended by adding the following defined term, to read as follows:

SECTION R202 - DEFINITIONS

...

ALLEY. Any public way, thoroughfare, or easement which has been dedicated or deeded to the public for public use as a secondary means of access to abutting properties.

...

(Ord. No. 237, Enacted, 09/13/90; Ord. No. 296, Rep&ReEn, 07/22/93; Ord. No. 576, Rep&ReEn, 01/22/04; Ord. No. 713, Rep&ReEn, 03/13/08; Ord. No. 788, Rep&ReEn, 04/24/14)

7-03-030 Amendment of CHAPTER 3, BUILDING PLANNING, of the International Residential Code for One- and Two-Family Dwellings.

- A. SECTION R301, DESIGN CRITERIA, Table R301.2(1), Climatic and Geographic Design Criteria, is hereby amended to read as follows:

SECTION R301 - DESIGN CRITERIA

...

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TABLE R301.2(1)
CLIMATIC AND GEOGRAPHIC DESIGN CRITERIA

ROOF SNOW LOAD	WIND SPEED (MPH)	SEISMIC DESIGN CATEGORY	SUBJECT TO DAMAGE FROM			DECAY	WINTER DESIGN TEMP.	ICE SHIELD UNDER-LAYMENT REQUIRED
			WEATHER-ING	FROST LINE DEPTH	TERMITE			
30PSF	90mph "C" Exposure	C	Negligible	18"	Moderate To Heavy	None To Slight	+15F	NONE

FLOOD HAZARDS	AIR FREEZING INDEX	MEAN ANNUAL TEMP.
9/03/2010	124	53F

- B. SECTION R301, DESIGN CRITERIA, Table R 301.5, Minimum Uniformly Distributed Live Loads (in pounds per square foot), is hereby amended to read as follows:

SECTION R301 - DESIGN CRITERIA

TABLE R301.5
MINIMUM UNIFORMLY DISTRIBUTED LIVE LOADS
(in pounds per square foot)

USE	LIVE LOAD
...	...
Habitable attics and attics served with fixed stairs	40
...	...
Sleeping Rooms	40
...	...

- C. SECTION R 309, GARAGES AND CARPORTS is hereby amended by adding a new Subsection R309.6, to read as follows:

SECTION R309 - GARAGES AND CARPORTS

R309.6 Opening Protection. Openings from a private garage directly into a room used for sleeping purposes shall not be permitted. Other openings between the garage and residence shall be equipped with solid wood doors not less than 1 3/8 inches (35 mm) in thickness, solid or honeycomb core steel doors not less than 1 3/8 inches (35 mm) thickness, or 2 0-minute fire-rated doors. Doors providing protection shall be maintained self-closing and self-latching.

- D. SECTION R309, GARAGES AND CARPORTS, is hereby amended by adding a new Subsection 309.7 to read as follows:

SECTION R309 - GARAGES AND CARPORTS

...

R309.7 Separation Required. The garage shall be separated from the residence and its attic area by not less than 5/8-inch Type 'X' gypsum board or equivalent applied to the garage side. Garages beneath habitable rooms shall be separated from all habitable rooms above by not less than 5/8-inch Type 'X' gypsum board or equivalent. Where the separation is a floor-ceiling assembly, the structure supporting the separation shall also be protected by not less than 5/8-inch Type 'X' gypsum board or equivalent.

F. SECTION R322, FLOOD-RESISTANT CONSTRUCTION, is hereby deleted in its entirety.

(Ord. No. 237, Enacted, 09/13/90; Ord. No. 296, Rep&ReEn, 07/22/93; Ord. No. 485, Amended, 05/25/00; Ord. No. 576, Rep&ReEn, 01/22/04; Ord. No. 713, Rep&ReEn, 03/13/08; Ord. No. 788, Rep&ReEn, 04/24/14; Ord. No. 800, Amended, 12/4/14)

7-03-040 Amendment of Chapter 4, FOUNDATIONS, of the International Residential Code for One- and Two-Family Dwellings.

A. SECTION R401, GENERAL, Subsection R 401.3 Drainage, is hereby amended in its entirety to read as follows:

SECTION R401 - GENERAL

...

R401.3 Drainage. Drainage shall be provided in accordance with the provisions of Appendix J of the International Building Code, incorporated by this reference as if fully set forth herein.

B. SECTION R 403, FOOTINGS, Subsection R 403.1, General, Subsubsection R 403.1.3, Seismic Reinforcing, Subsubsubsection R 403.1.3.1, Foundations with Stemwalls, is hereby amended in its entirety to read as follows:

SECTION R 403 - FOOTINGS

R403.1 General

...

R403.1.3 Seismic Reinforcing.

...

R403.1.3.1 Foundations with Stemwalls. Foundations with stemwalls shall be provided with the following steel reinforcement or an equivalent approved by the building official, unless an engineered design is provided:

- 1) For non-retaining stem walls less than 24 inches in height, a bond beam composed of one horizontal #4 rebar is required at the top of the wall and one #4 vertical rebar is required at 48 inches on center. The vertical reinforcement shall extend into the footing with a minimum 4 inch bent hook having at least a 90° bend.

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- 2) For stem walls 24 inches to 48 inches in height, a bond beam composed of two horizontal #4 rebar is required at the top of the wall and one #4 vertical rebar is required at 48 inches on center. The vertical reinforcement shall extend into the footing with a minimum 4 inch bent hook having at least a 90° bend.
- 3) For stem walls over 48 inches in height or retaining 2 or more feet of earth, engineering may be required to determine footing size, wall thickness, materials, steel placement and size (depending on soil conditions), height, surcharge loading or other requirements at the option of the building official.

Minimum stemwall height shall be 13 inches above the natural grade at the high elevation corner of the structure or 13 inches above the finished grade of an approved, graded building pad.

- C. SECTION R403, FOOTINGS, Subsection R403.1, General, Subsubsection R403.1.3, Seismic Reinforcing, Subsubsection R403.1.3.2, Slabs-on-ground with Turned-down Footings, is hereby renamed “Minimum Footing Reinforcement” and amended in its entirety to read as follows:

SECTION R 403 - FOOTINGS

R403.1 General

...

R403.1.3 Seismic Reinforcing.

...

R403.1.3.2 Minimum Footing Reinforcement. Footings shall be provided with the following steel reinforcement or an equivalent approved by the building official, unless an engineered design is provided:

- 1) *Continuous spread footing* - shall be reinforced with two #4 horizontal bars placed 3 inches from the footing bottom, with spacing between bars equal to the thickness of the stem wall.
- 2) *Monolithic interior and exterior concrete footings* - shall be reinforced with at least two #4 horizontal bars located 3 inches from the bottom of the footing and one #4 horizontal bar located 3 inches from the top of the slab.
- 3) *Pier and column footings* - shall be reinforced with #4 horizontal bars spaced no more than 12 inches on center in each direction and located 3 inches from the bottom of the footing.

- D. SECTION R404, FOUNDATION AND RETAINING WALLS, Subsection R404.1, Concrete and Masonry Foundation Walls, Subsubsection R404.1.1, Design of Masonry Foundation Walls, is hereby amended in its entirety to read as follows:

SECTION R404 - FOUNDATION AND RETAINING WALLS

...

R404.1 Concrete and Masonry Foundation Walls.

...

R404.1.1 Design of Masonry Foundation Walls. Concrete masonry foundation walls shall be constructed as set forth in Tables R404.1.1(2), R404.1.1(3) and R404.1.1(4) of the International Residential Code for the most restrictive design soil class, provided that the minimum vertical reinforcement is #4 bar spaced no more than 48 inches on center, and shall also comply with the provisions of this section and the applicable provisions of Sections R606, R607 and R608 of the International Residential Code. In Seismic Design Category D_1 and D_2 , as established in Figure R301.2(2) of the International Residential Code, concrete masonry foundation walls shall comply with Section R404.1.4 of the International Residential Code. Rubble stone masonry walls shall not be used in Seismic Design Category C, D_1 or D_2 , as established in Figure R301.2(2) of the International Residential Code.

- E. SECTION R404, FOUNDATION AND RETAINING WALLS, Subsection R404.1, Concrete and Masonry Foundation Walls, Subsubsection R404.1.2, Concrete Foundation Walls, is hereby amended in its entirety to read as follows:

SECTION R404 - FOUNDATION AND RETAINING WALLS

...

R404.1 Concrete and Masonry Foundation Walls.

...

R404.1.2 Concrete Foundation Walls. Concrete foundation walls shall be constructed as set forth in Tables R404.1.1(2), R404.1.1(3) and R404.1.1(4) of the International Residential Code for the most restrictive design soil class, provided that the minimum vertical reinforcement is #4 bar spaced no more than 48 inches on center, and shall also comply with the provisions of this section and the applicable provisions of Sections R402.2 and R612 of the International Residential Code. In Seismic Category D_1 and D_2 , as established in Figure R301.2(2) of the International Residential Code, concrete foundation walls shall comply with Section R404.1.4 of the International Residential Code.

- F. SECTION R404, FOUNDATION AND RETAINING WALLS, is hereby amended by adding a new Subsection R404.6, to read as follows:

SECTION R404 - FOUNDATION AND RETAINING WALLS

...

R404.6 Insulating Concrete Form Foundation Walls.

When Tables R404.4(1) through R404.4(5) of the International Residential Code are utilized for concrete foundation walls, reinforcement shall be as required for Soil Group III, as established by Table R405.1 of the International Residential Code, provided that the minimum vertical reinforcement is #4 bar spaced no more than 48 inches on center. Where Tables R404.4(1) through R404.4(5) of the International Residential Code indicate "N/R" for vertical reinforcement size and spacing or where

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the Tables do not indicate the maximum height of unbalanced backfill for various heights, vertical reinforcement and spacing shall be provided as follows:

Maximum Unbalanced Backfill Height (ft.)	Minimum Vertical Reinforcement Size and Spacing
4' and less	#4 @ 48"
5	#4 @ 32" or #5 @ 48"
6	#4 @ 20" or #5 @ 32"
7	#4 @ 12" or #5 @ 20"

(Ord. No. 237, Enacted, 09/13/90; Ord. No. 296, Rep&ReEn, 07/22/93; Ord. No. 576, Rep&ReEn, 01/22/04; Ord. No. 713, Rep&ReEn, 03/13/08; Ord. No. 788, Rep&ReEn, 04/24/14)

7-03-050 Amendment of Chapter 5, FLOORS, of the International Residential Code for One- and Two-Family Dwellings.

- A. SECTION R506, CONCRETE FLOORS (ON GROUND), Subsection R506.2, Site Preparation, Subsubsection R506.2.3, Vapor Retarder, is hereby deleted in its entirety.

(Ord. No. 237, Enacted, 09/13/90; Ord. No. 296, Rep&ReEn, 07/22/93; Ord. No. 576, Rep&ReEn, 01/22/04; Ord. No. 713, Rep&ReEn, 03/13/08; Ord. No. 788, Rep&ReEn, 04/24/14)

7-03-060 Amendment of Chapter 6, WALL CONSTRUCTION, of the International Residential Code for One- and Two-Family Dwellings.

- A. SECTION R606, GENERAL MASONRY CONSTRUCTION, Subsection R606.12, Seismic Requirements, Subsubsection R606.12.2, Seismic Design Category C, Subsubsubsection R606.12.2.2, Design of Elements not Part of the Lateral Force-Resisting System, Subsubsubsubsection R606.12.2.2.3, Reinforcement Requirements for Masonry Elements, is hereby amended to read as follows:

SECTION R606 - GENERAL MASONRY CONSTRUCTION

...

R606.12 Seismic Requirements.

...

R606.12.2 Seismic Design Category C.

...

R606.12.2.2 Design of Elements not Part of the Lateral Force-Resisting System.

...

R606.12.2.2.3 Reinforcement Requirements for Masonry Elements.

...

- 1. Horizontal reinforcement.

...

2. Vertical reinforcement. Vertical reinforcement of at least one #4 bar shall be provided at corners, within 16 inches of each side of openings, within 8 inches of each side of movement joints, within 8 inches of the ends of walls, and at a maximum spacing of 48 inches.

(Ord. No. 237, Enacted, 09/13/90; Ord. No. 296, Rep&ReEn, 07/22/93; Ord. No. 485, Amended, 05/25/00; Ord. No. 576, Rep&ReEn, 01/22/04; Ord. No. 713, Rep&ReEn, 03/13/08; Ord. No. 788, Rep&ReEn, 04/24/14)

7-03-070 Amendment of Chapter 7, WALL COVERING, of the International Residential Code for One- and Two-Family Dwellings.

A. SECTION R702, INTERIOR COVERING, Table R702.3.5, Minimum Thickness and Application of Gypsum Board, is hereby amended to read as follows:

SECTION R702 - INTERIOR COVERING

**TABLE R702.3.5
MINIMUM THICKNESS AND APPLICATION OF GYPSUM BOARD**

...

With the exception of garage ceilings adjoining living areas, one-half-inch-thick (1/2") single-ply gypsum board shall be used on a ceiling where a water-based texture finish is to be applied, or where it will be required to support insulation above the ceiling. Five-eighths-inch-thick (5/8") Type 'X' single-ply gypsum board shall be used on garage ceilings adjoining living areas.

...

B. SECTION R703, EXTERIOR COVERING, Subsection R703.6, Exterior Plaster, Subsubsection R703.6.2, Plaster, is hereby amended by adding the following subparagraph, to read as follows:

SECTION R703 - EXTERIOR COVERING

...

R703.6, Exterior Plaster.

...

R703.6.2, Plaster.

...

Certification of installation of exterior plaster per the manufacturer's installation instructions shall be provided to the building official prior to building final inspection.

(Ord. No. 237, Enacted, 09/13/90; Ord. No. 296, Rep&ReEn, 07/22/93; Ord. No. 485, Rep&ReEn, 05/25/00; Ord. No. 576, Rep&ReEn, 01/22/04; Ord. No. 713, Rep&ReEn, 03/13/08; Ord. No. 788, Rep&ReEn, 04/24/14)

7-03-080 Chapter 8, ROOF-CEILING CONSTRUCTION, of the International Residential

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Code for One- and Two- Family Dwellings.

(Ord. No. 237, Enacted, 09/13/90; Ord. No. 296, Rep&ReEn, 07/22/93; Ord. No. 485, Rep&ReEn, 05/25/00; Ord. No. 576, Rep&ReEn, 01/22/04; Ord. No. 713, Rep&ReEn, 03/13/08; Ord. No. 788, Rep&ReEn, 04/24/14)

7-03-090 Amendment of Chapter 9, ROOF ASSEMBLIES, of the International Residential Code for One- and Two-Family Dwellings.

- A. SECTION R905, REQUIREMENTS FOR ROOF COVERINGS, Subsection R905.2, Asphalt Shingles, Subsubsection R905.2.8 Flashing, Subsubsubsection R905.2.8.5, Drip Edge, is hereby amended in its entirety to read as follows:

SECTION R905 - REQUIREMENTS FOR ROOF COVERINGS

...

R905.2 Asphalt Shingles.

...

R905.2.8 Flashing.

...

R905.2.8.5 Drip Edge. Drip edge shall be installed at eaves and gables of shingle roofs with overlap to be a minimum of 2 inches (51 mm). Eave drip edges shall extend 0.25 inches (6.4 mm) below the sheathing and a minimum of 2 inches (51 mm) back on the roof. Drip edge shall be mechanically fastened a maximum of 12 inches (305 mm) on center.

(Ord. No. 237, Enacted, 09/13/90; Ord. No. 296, Rep&ReEn, 07/22/93; Ord. No. 576, Rep&ReEn, 01/22/04; Ord. No. 713, Rep&ReEn, 03/13/08; Ord. No. 788, Rep&ReEn, 04/24/14)

7-03-100 Chapter 10, CHIMNEYS AND FIREPLACES, of the International Residential Code for One- and Two- Family Dwellings.

(Ord. No. 92, Enacted, 12/15/83; Ord. No. 154, Repealed, 08/27/87; Ord. No. 237, Enacted, 09/13/90; Ord. No. 296, Rep&ReEn, 07/22/93; Ord. No. 386, Amended, 07/11/96; Ord. No. 485, Rep&ReEn, 05/25/00; Ord. No. 576, Rep&ReEn, 01/22/04; Ord. No. 713, Rep&ReEn, 03/13/08; Ord. No. 788, Rep&ReEn, 04/24/14)

7-03-110 Reserved.

(Ord. No. 237, Enacted, 09/13/90; Ord. No. 268, Amended, 12/12/91; Ord. No. 296, Rep&ReEn, 07/22/93; Ord. No. 322, Amended, 05/26/94; Ord. No. 485, Rep&ReEn, 05/25/00; Ord. No. 576, Rep&ReEn, 01/22/04; Ord. No. 713, Rep&ReEn, 03/13/08; Ord. No. 788, Rep&ReEn, 04/24/14)

7-03-120 Chapter 12, MECHANICAL ADMINISTRATION, of the International Residential Code for One- and Two- Family Dwellings.

(Ord. No. 237, Enacted, 09/13/90; Ord. No. 296, Rep&ReEn, 07/22/93; Ord. No. 485, Amended, 05/25/00; Ord. No. 576, Rep&ReEn, 01/22/04; Ord. No. 713, Rep&ReEn, 03/13/08; Ord. No. 788, Rep&ReEn, 04/24/14)

7-03-130 Amendment of Chapter 13, GENERAL MECHANICAL SYSTEM REQUIREMENTS, of the International Residential Code for One- and Two-Family Dwellings.

A. SECTION M1307, APPLIANCE INSTALLATION, Subsection M1307.3, Elevation of Ignition Source, is hereby amended by adding the following Exception, to read as follows:

SECTION M1307 - APPLIANCE INSTALLATION

...

M1307.3 Elevation of Ignition Source.

...

Exception: This section shall not apply to the following appliances:

1. Clothes dryers or manufactured sealed ignition (pilot) systems installed in private garages.

(Ord. No. 296, Enacted, 07/22/93; Ord. No. 576, Rep&ReEn, 01/22/04; Ord. No. 713, Rep&ReEn, 03/13/08; Ord. No. 788, Rep&ReEn, 04/24/14)

7-03-140 Chapter 14, HEATING AND COOLING EQUIPMENT AND APPLIANCES, of the International Residential Code for One- and Two- Family Dwellings.

(Ord. No. 485, Enacted, 05/25/00; Ord. No. 576, Rep&ReEn, 01/22/04; Ord. No. 713, Rep&ReEn, 03/13/08; Ord. No. 788, Rep&ReEn, 04/24/14)

7-03-150 Amendment of Chapter 15, EXHAUST SYSTEMS, of the International Residential Code for One- and Two- Family Dwellings.

A. SECTION M1507, MECHANICAL VENTILATION, Table M1507.4, Minimum Required Local Exhaust Rates For One- and Two- Family Dwellings, is hereby amended to read as follows:

SECTION M1507 - MECHANICAL VENTILATION

TABLE M1507.4

MINIMUM REQUIRED LOCAL EXHAUST RATES FOR ONE- AND TWO- FAMILY DWELLINGS

AREA TO BE EXHAUSTED	EXHAUST RATES
...	...
Bathrooms-Toilet Rooms- Laundry Rooms- Laundry Closets	...

(Ord. No. 576, Enacted, 01/22/04; Ord. No. 713, Rep&ReEn, 03/13/08; Ord. No. 788, Rep&ReEn, 04/24/14)

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7-03-160 Chapter 16, DUCT SYSTEMS, of the International Residential Code for One- and Two- Family Dwellings.

(Ord. No. 576, Enacted, 01/22/04; Ord. No. 713, Rep&ReEn, 03/13/08; Ord. No. 788, Rep&ReEn, 04/24/14)

7-03-170 Chapter 17, COMBUSTION AIR, of the International Residential Code for One- and Two- Family Dwellings.

(Ord. No. 576, Enacted, 01/22/04; Ord. No. 713, Rep&ReEn, 03/13/08; Ord. No. 788, Rep&ReEn, 04/24/14)

7-03-180 Chapter 18, CHIMNEYS AND VENTS, of the International Residential Code for One- and Two- Family Dwellings.

(Ord. No. 576, Enacted, 01/22/04; Ord. No. 713, Rep&ReEn, 03/13/08; Ord. No. 788, Rep&ReEn, 04/24/14)

7-03-190 Chapter 19, SPECIAL APPLIANCES, EQUIPMENT AND SYSTEMS, of the International Residential Code for One- and Two- Family Dwellings.

(Ord. No. 576, Enacted, 01/22/04; Ord. No. 713, Rep&ReEn, 03/13/08; Ord. No. 788, Rep&ReEn, 04/24/14)

7-03-200 Chapter 20, BOILERS AND WATER HEATERS, of the International Residential Code for One- and Two- Family Dwellings.

(Ord. No. 576, Enacted, 01/22/04; Ord. No. 713, Rep&ReEn, 03/13/08; Ord. No. 788, Rep&ReEn, 04/24/14)

7-03-210 Chapter 21, HYDRONIC PIPING, of the International Residential Code for One- and Two- Family Dwellings.

(Ord. No. 576, Enacted, 01/22/04; Ord. No. 713, Rep&ReEn, 03/13/08; Ord. No. 788, Rep&ReEn, 04/24/14)

7-03-220 Chapter 22, SPECIAL PIPING AND STORAGE SYSTEMS, of the International Residential Code for One- and Two- Family Dwellings.

(Ord. No. 576, Enacted, 01/22/04; Ord. No. 713, Rep&ReEn, 03/13/08; Ord. No. 788, Rep&ReEn, 04/24/14)

7-03-230 Chapter 23, SOLAR ENERGY SYSTEMS, of the International Residential Code for One- and Two- Family Dwellings.

(Ord. No. 576, Enacted, 01/22/04; Ord. No. 713, Rep&ReEn, 03/13/08; Ord. No. 788, Rep&ReEn, 04/24/14)

7-03-240 Amendment of Chapter 24, FUEL GAS, of the International Residential Code for One- and Two-Family Dwellings.

- A. SECTION G2415, PIPING SYSTEM INSTALLATION, Subsection G2415.3, Prohibited Locations, is hereby amended by adding the following subparagraph, to read as follows:

SECTION G2415 - PIPING SYSTEM INSTALLATION

...

G2415.3 Prohibited Locations.

...

Liquefied petroleum gas piping shall not serve any gas-fired appliance or equipment located in a pit, attic or basement where heavier-than-air gas might collect to form a flammable mixture.

- B. SECTION G2415, PIPING SYSTEM INSTALLATION, Subsection G2415.12, Minimum Burial Depth, is hereby amended in its entirety to read as follows:

SECTION G2415 - PIPING SYSTEM INSTALLATION

...

G2415.12 Minimum Burial Depth. Underground piping systems shall be installed a minimum depth of 12 inches (305 mm) below grade for metal piping and 18 inches (457 mm) below grade for plastic piping. Underground ferrous gas piping shall be electrically isolated from the rest of the gas system with listed or approved isolation fittings installed a minimum six (6) inches above grade.

...

- C. SECTION G2417, INSPECTION, TESTING AND PURGING, Subsection G2417.4, Test Pressure Measurement, Subsubsection G2417.4.1, Test Pressure, is hereby amended in its entirety to read as follows:

SECTION G2417 - INSPECTION, TESTING AND PURGING

...

G2417.4 Test Pressure Measurement.

...

G2417.4.1 Test Pressure. The test pressure to be used shall be not less than one and one-half times the proposed maximum working pressure, but not less than 10 psig (66 kPa gauge), irrespective of design pressure. Where the test pressure exceeds 125 psig (862 kPa gauge), the test pressure shall not exceed a value that produces a hoop stress in the piping greater than 50 percent of the specified minimum yield strength of the pipe.

- D. SECTION G2420, GAS SHUTOFF VALVES, Subsection G2420.2, Meter Valve, is hereby amended in its entirety to read as follows:

SECTION G2420 - GAS SHUTOFF VALVES

...

BUILDING

G2420.2 Meter Valve. Every meter shall be equipped with a shutoff valve located on the supply side of the meter. Such shutoff valve shall be manually operated, placed on the supply piping located outside the building it supplies and must be readily accessible at all times.

- E. SECTION G2420, GAS SHUTOFF VALVES, Subsection G2420.3, Individual Buildings, is hereby renamed “Building Shutoff” and amended in its entirety to read as follows:

SECTION G2420 - GAS SHUTOFF VALVES

...

G2420.3 Building Shutoff. All buildings shall be provided with a shutoff valve located on the downstream side of the gas meter, between the gas meter and the building. Multiple buildings on the same system shall have a separate shutoff valve for each building.

(Ord. No. 576, Enacted, 01/22/04; Ord. No. 713, Rep&ReEn, 03/13/08; Ord. No. 788, Rep&ReEn, 04/24/14)

7-03-250 Chapter 25, PLUMBING ADMINISTRATION, of the International Residential Code for One- and Two- Family Dwellings.

(Ord. No. 576, Enacted, 01/22/04; Ord. No. 713, Rep&ReEn, 03/13/08; Ord. No. 788, Rep&ReEn, 04/24/14)

7-03-260 Amendment of Chapter 26, GENERAL PLUMBING REQUIREMENTS, of the International Residential Code for One- and Two-Family Dwellings.

- A. SECTION P2603, STRUCTURAL AND PIPING PROTECTION, Subsection P2603.5, Freezing, Subsubsection P2603.5.1, Sewer Depth, is hereby amended in its entirety to read as follows:

SECTION P2603 - STRUCTURAL AND PIPING PROTECTION

...

P2603.5 Freezing.

...

P2603.5.1 Sewer Depth. Building sewers that connect to private sewage disposal systems shall be a minimum of 18 inches below finished grade at the point of septic tank connection. Building sewers shall be a minimum of 18 inches below grade.

(Ord. No. 576, Enacted, 01/22/04; Ord. No. 713, Rep&ReEn, 03/13/08; Ord. No. 788, Rep&ReEn, 04/24/14)

7-03-270 Amendment of Chapter 27, PLUMBING FIXTURES, of the International Residential Code for One- and Two- Family Dwellings.

- A. SECTION P2722, FIXTURE FITTING, Subsection P2722.2, Hot Water, is hereby amended by adding the following subparagraph, to read as follows:

SECTION P2722, FIXTURE FITTING

...

P2722.2 Hot Water.

...

A hot water recirculating pump shall be installed in all new residences with two or more bathrooms. NOTE: Recirculating hot water shall be run to hand sinks, tubs, tub showers and showers. Piping for the recirculating hot water system shall be insulated with approved insulation.

(Ord. No. 576, Enacted, 01/22/04; Ord. No. 713, Rep&ReEn, 03/13/08; Ord. No. 788, Rep&ReEn, 04/24/14)

7-03-280 Chapter 28, WATER HEATERS, of the International Residential Code for One- and Two- Family Dwellings.

(Ord. No. 576, Enacted, 01/22/04; Ord. No. 713, Rep&ReEn, 03/13/08; Ord. No. 788, Rep&ReEn, 04/24/14)

7-03-290 Chapter 29, WATER SUPPLY AND DISTRIBUTION, of the International Residential Code for One- and Two- Family Dwellings.

(Ord. No. 576, 01/22/04; Ord. No. 713, Rep&ReEn, 03/13/08; Ord. No. 788, Rep&ReEn, 04/24/14)

7-03-300 Amendment of Chapter 30, SANITARY DRAINAGE, of the International Residential Code for One- and Two-Family Dwellings.

- A. SECTION P3005, DRAINAGE SYSTEM, Subsection P3005.3, Horizontal Drainage Piping Slope, is hereby amended by adding the following subparagraphs, to read as follows:

SECTION P3005 - DRAINAGE SYSTEM

...

P3005.3 Horizontal Drainage Piping Slope.

...

No building sewer shall be located in such a way as to preclude a gravity-flow connection to an available public sewer.

Exception: Building sewers may be located in such a way as to preclude a gravity-flow connection to an available public sewer if that building sewer is otherwise connected to the available public sewer, and owners or developers expressly agree in writing (for themselves and their successors-in-interest), to 1) take complete financial responsibility for construction and on-going maintenance of any non-gravity flow connection, and 2) to allow such agreement to be recorded in the Office of the Yavapai County Recorder upon payment of a fee. Nothing herein shall otherwise modify any other provision of the Town Code allocating responsibility for construction and maintenance of service connections.

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Prior to the availability of a public sewer as defined in Section 701.2 of the International Plumbing Code, but after a preliminary design for such a public sewer has been established and is available for review at the Community Development Office, no building sewer shall be located in such a way as to preclude a subsequent gravity-flow connection to that future public sewer. Furthermore, the building sewer shall be located so as to minimize the length of sewer service line that will be necessary to connect to the future public sewer, by being located on the same half of the lot as the future public sewer pipeline and by avoiding walls and fences wherever possible.

Exception: Building sewers may be located in such a way as to preclude a subsequent gravity-flow connection to the future public sewer, or so as not to minimize the length of sewer service line necessary to connect to the future public sewer, if owners or developers expressly agree in writing (for themselves and their successors-in-interest) to 1) take complete financial responsibility for construction of any non-gravity flow connection at the time of converting from private sewage disposal systems to the public sewer, 2) take complete financial responsibility for on-going maintenance of any such non-gravity flow connection at the time of converting from private sewage disposal systems to the public sewer, 3) take complete financial responsibility for any additional cost of constructing and maintaining sewer service lines beyond the minimal length necessary at the time of converting from private sewage disposal systems to the public sewer, and 4) allow such agreement to be recorded in the Office of the Yavapai County Recorder upon payment of a fee. Nothing herein shall otherwise modify any other provision of the Town Code allocating responsibility for construction and maintenance of service connections.

- B. SECTION P3008, BACKWATER VALVES, Subsection P3008.1, Sewage Backflow, is hereby amended in its entirety to read as follows:

SECTION P3008 - BACKWATER VALVES

...

P3008.1 Sewage Backflow. All structures connected to a public sewer system shall be protected by an approved backwater valve.

(Ord. No. 576, Enacted, 01/22/04; Ord. No. 713, Rep&ReEn, 03/13/08; Ord. No. 788, Rep&ReEn, 04/24/14)

7-03-310 Chapter 31, VENTS, of the International Residential Code for One- and Two-Family Dwellings.

(Ord. No. 576, Enacted, 01/22/04; Ord. No. 620, Rep&ReEn, 04/28/05; Ord. No. 713, Rep&ReEn, 03/13/08; Ord. No. 788, Rep&ReEn, 04/24/14)

7-03-320 Chapter 32, TRAPS, of the International Residential Code for One- and Two-Family Dwellings.

(Ord. No. 576, Enacted, 01/22/04; Ord. No. 713, Rep&ReEn, 03/13/08; Ord. No. 788, Rep&ReEn, 04/24/14)

7-03-330 Chapter 33, STORM DRAINAGE, of the International Residential Code for One- and Two- Family Dwellings.

(Ord. No. 576, Enacted, 01/22/04; Ord. No. 713, Rep&ReEn, 03/13/08; Ord. No. 788, Rep&ReEn, 04/24/14)

7-03-340 Chapter 34, GENERAL REQUIREMENTS, of the International Residential Code for One- and Two- Family Dwellings.

(Ord. No. 576, Enacted, 01/22/04; Ord. No. 713, Rep&ReEn, 03/13/08; Ord. No. 788, Rep&ReEn, 04/24/14)

7-03-350 Chapter 35, ELECTRICAL DEFINITIONS, of the International Residential Code for One- and Two- Family Dwellings.

(Ord. No. 576, Enacted, 01/22/04; Ord. No. 713, Rep&ReEn, 03/13/08; Ord. No. 788, Rep&ReEn, 04/24/14)

7-03-360 Chapter 36, SERVICES, of the International Residential Code for One- and Two- Family Dwellings.

(Ord. No. 576, Enacted, 01/22/04; Ord. No. 713, Rep&ReEn, 03/13/08; Ord. No. 788, Rep&ReEn, 04/24/14)

7-03-370 Chapter 37, BRANCH CIRCUIT AND FEEDER REQUIREMENTS, of the International Residential Code for One- and Two- Family Dwellings.

(Ord. No. 576, Enacted, 01/22/04; Ord. No. 713, Rep&ReEn, 03/13/08; Ord. No. 788, Rep&ReEn, 04/24/14)

7-03-380 Chapter 38, WIRING METHODS, of the International Residential Code for One- and Two- Family Dwellings.

(Ord. No. 576, Enacted, 01/22/04; Ord. No. 713, Rep&ReEn, 03/13/08; Ord. No. 788, Rep&ReEn, 04/24/14)

7-03-390 Amendment of Chapter 39, POWER AND LIGHTING DISTRIBUTION, of the International Residential Code for One- and Two-Family Dwellings.

- A. SECTION E3902, GROUND-FAULT AND ARC-FAULT CIRCUIT-INTERRUPTER PROTECTION, Subsection E3902.12, Arc-fault Circuit-interrupter Protection, is amended to read as follows:

SECTION E3902 - GROUND-FAULT AND ARC-FAULT CIRCUIT-INTERRUPTER PROTECTION

...

E3902.12 Arc-fault Circuit-interrupter Protection. All branch circuits that supply 120-volt, single phase, 15- and 20-ampere outlets installed in offices, studies, dens, bedrooms and similar rooms or areas providing sleeping accommodations shall be protected by a combination type arc-fault circuit interrupter installed to provide protection of the branch circuit.

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. . .

(Ord. No. 576, Enacted, 01/22/04; Ord. No. 713, Rep&ReEn, 03/13/08; Ord. No. 788, Rep&ReEn, 04/24/14)

7-03-400 Chapter 40, DEVICES AND LUMINAIRES, of the International Residential Code for One- and Two- Family Dwellings.

(Ord. No. 576, Enacted, 01/22/04; Ord. No. 713, Rep&ReEn, 03/13/08; Ord. No. 788, Rep&ReEn, 04/24/14)

7-03-410 Chapter 41, APPLIANCE INSTALLATION, of the International Residential Code for One- and Two- Family Dwellings.

(Ord. No. 576, Enacted, 01/22/04; Ord. No. 713, Rep&ReEn, 03/13/08; Ord. No. 788, Rep&ReEn, 04/24/14)

7-03-420 Chapter 42, SWIMMING POOLS, of the International Residential Code for One- and Two- Family Dwellings.

(Ord. No. 576, Enacted, 01/22/04; Ord. No. 713, Rep&ReEn, 03/13/08; Ord. No. 788, Rep&ReEn, 04/24/14)

7-03-430 Chapter 43, CLASS 2 REMOTE-CONTROL SIGNALING AND POWER-LIMITED CIRCUITS, of the International Residential Code for One- and Two- Family Dwellings.

(Ord. No. 576, Enacted, 01/22/04; Ord. No. 713, Rep&ReEn, 03/13/08; Ord. No. 788, Rep&ReEn, 04/24/14)

7-03-440 Chapter 44, REFERENCED STANDARDS, of the International Residential Code for One- and Two- Family Dwellings.

(Ord. No. 788, Enacted, 04/24/14)

7-03-440.A Appendix A, SIZING AND CAPACITIES OF GAS PIPING, of the International Residential Code for One- and Two- Family Dwellings.

(Ord. No. 788, Enacted, 04/24/14)

7-03-440.B Appendix B, SIZING OF VENTING SYSTEMS SERVING APPLIANCES EQUIPPED WITH DRAFT HOODS, CATEGORY I APPLIANCES, AND APPLIANCES LISTED FOR USE WITH TYPE B VENTS, of the International Residential Code for One- and Two- Family Dwellings.

(Ord. No. 788, Enacted, 04/24/14)

7-03-440.C Appendix C, EXIT TERMINALS OF MECHANICAL DRAFT AND DIRECT-VENT VENTING SYSTEMS, of the International Residential Code for One- and Two- Family Dwellings.

(Ord. No. 788, Enacted, 04/24/14)

7-03-440.D Appendix D, RECOMMENDED PROCEDURE FOR SAFETY INSPECTION OF AN EXISTING APPLIANCE INSTALLATION, of the International Residential Code for One- and Two- Family Dwellings.

(Ord. No. 788, Enacted, 04/24/14)

7-03-440.F Appendix F, RADON CONTROL METHODS, of the International Residential Code for One- and Two- Family Dwellings.

(Ord. No. 788, Enacted, 04/24/14)

7-03-440.G Appendix G, SWIMMING POOLS, SPAS AND HOT TUBS, of the International Residential Code for One- and Two- Family Dwellings.

(Ord. No. 788, Enacted, 04/24/14)

7-03-440.H Appendix H, PATIO COVERS, of the International Residential Code for One- and Two- Family Dwellings.

(Ord. No. 788, Enacted, 04/24/14)

7-03-440.I Appendix I, PRIVATE SEWAGE DISPOSAL, of the International Residential Code for One- and Two- Family Dwellings.

(Ord. No. 788, Enacted, 04/24/14)

7-03-440.J Appendix J, EXISTING BUILDINGS AND STRUCTURES, of the International Residential Code for One- and Two- Family Dwellings.

(Ord. No. 788, Enacted, 04/24/14)

7-03-440.K Appendix K, SOUND TRANSMISSION, of the International Residential Code for One- and Two- Family Dwellings.

(Ord. No. 788, Enacted, 04/24/14)

7-03-440.M Appendix M, HOME DAY CARE - R-3 OCCUPANCY, of the International Residential Code for One- and Two- Family Dwellings.

(Ord. No. 788, Enacted, 04/24/14)

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7-03-440.N Appendix N, VENTING METHODS, of the International Residential Code for One- and Two- Family Dwellings.

(Ord. No. 788, Enacted, 04/24/14)

7-03-440.O Appendix O, AUTOMATIC VEHICULAR GATES, of the International Residential Code for One- and Two- Family Dwellings.

(Ord. No. 788, Enacted, 04/24/14)

7-03-440.P Appendix P, SIZING OF WATER PIPING SYSTEM, of the International Residential Code for One- and Two- Family Dwellings.

(Ord. No. 788, Enacted, 04/24/14)

7-03-440.Q Appendix Q, ICC INTERNATIONAL RESIDENTIAL CODE ELECTRICAL PROVISIONS/NATIONAL ELECTRICAL CODE CROSS REFERENCE, of the International Residential Code for One- and Two- Family Dwellings.

(Ord. No. 788, Enacted, 04/24/14)

...

404.12 Minimum Burial Depth.

...

Underground ferrous gas piping shall be electrically isolated from the rest of the gas system with listed or approved isolation fittings installed a minimum of six (6) inches above grade.

- B. SECTION 406 (IFGS), INSPECTION, TESTING AND PURGING, Subsection 406.4, Test Pressure Measurement, Subsubsection 406.4.1, Test Pressure, is hereby amended in its entirety to read as follows:

SECTION 406 (IFGS) - INSPECTION, TESTING AND PURGING

...

406.4 Test Pressure Measurement.

...

406.4.1 Test Pressure. The test pressure to be used shall be no less than 1 ½ times the proposed maximum working pressure, but not less than 10 psig, irrespective of design pressure. Where the test pressure exceeds 125 psig, the test pressure shall not exceed a value that produces a hoop stress in the piping greater than 50 percent of the specified minimum yield strength of the pipe.

- C. SECTION 409, SHUTOFF VALVES, Subsection 409.3, Shutoff Valves for Multiple-House Line Systems, Subsubsection 409.3.2, Individual Buildings, is hereby renamed “Building Shutoff” and amended in its entirety to read as follows:

SECTION 409 (IFGC) - SHUTOFF VALVES

...

409.3 Shutoff Valves for Multiple-House Line Systems.

...

409.3.2 Building Shutoff. All buildings shall be provided with a shutoff valve located on the downstream side of the gas meter, between the gas meter and the building. Multiple buildings on the same system shall have a separate shutoff valve for each building.

(Ord. No. 237, Enacted, 09/13/90; Ord. No. 296, Rep&ReEn, 07/22/93; Ord. No. 576, Rep&ReEn, 01/22/04; Ord. No. 713, Rep&ReEn, 03/13/08; Ord. No. 788, Rep&ReEn, 04/24/14)

7-08-050 Chapter 5, CHIMNEYS AND VENTS, of the International Fuel Gas Code.

(Ord. No. 237, Enacted, 09/13/90; Ord. No. 296, Rep&ReEn, 07/22/93; Ord. No. 576, Rep&ReEn, 01/22/04; Ord. No. 713, Rep&ReEn, 03/13/08; Ord. No. 788, Rep&ReEn, 04/24/14)

7-08-060 Amendment of Chapter 6, SPECIFIC APPLIANCES, of the International Fuel

Gas Code.

- A. SECTION 602 (IFGC), DECORATIVE APPLIANCES FOR INSTALLATION IN FIREPLACES, is hereby amended by adding the following subsection, to read as follows:

SECTION 602 (IFGC) - DECORATIVE APPLIANCES FOR INSTALLATION IN FIREPLACES

...

602.4 Gas Logs. Approved gas logs installed in solid-fuel-burning fireplaces shall comply with the following:

1. The gas log shall be installed in accordance with the manufacturer's installation instructions.
2. If the fireplace is equipped with a damper, it shall be permanently blocked open to a sufficient amount to prevent spillage of combustion products into the room.
3. The minimum flue passageway shall be not less than 1 square inch per 2,000 Btu/h input (1.09 mm²/W).
4. Gas logs, when equipped with a pilot, shall have a listed safety shutoff valve.

(Ord. No. 237, Enacted, 09/13/90; Ord. No. 296, Rep&ReEn, 07/22/93; Ord. No. 576, Rep&ReEn, 01/22/04; Ord. No. 713, Rep&ReEn, 03/13/08; Ord. No. 788, Rep&ReEn, 04/24/14)

7-08-070 Chapter 7, GASEOUS HYDROGEN SYSTEMS, of the International Fuel Gas Code.

(Ord. No. 237, Enacted, 09/13/90; Ord. No. 296, Rep&ReEn, 07/22/93; Ord. No. 576, Rep&ReEn, 01/22/04; Ord. No. 713, Rep&ReEn, 03/13/08; Ord. No. 788, Rep&ReEn, 04/24/14)

7-08-080 Chapter 8, REFERENCED STANDARDS, of the International Fuel Gas Code.

(Ord. No. 237, Enacted, 09/13/90; Ord. No. 296, Rep&ReEn, 07/22/93; Ord. No. 576, Rep&ReEn, 01/22/04; Ord. No. 713, Rep&ReEn, 03/13/08; Ord. No. 788, Rep&ReEn, 04/24/14)

7-08-080.A Appendix A, SIZING AND CAPACITIES OF GAS PIPING, of the International Fuel Gas Code.

(Ord. No. 237, Enacted, 09/13/90; Ord. No. 296, Rep&ReEn, 07/22/93; Ord. No. 713, Rep&ReEn, 03/13/08; Ord. No. 788, Rep&ReEn, 04/24/14)

7-08-080.B Appendix B, SIZING OF VENTING SYSTEMS SERVING APPLIANCES EQUIPPED WITH DRAFT HOODS, CATEGORY I APPLIANCES AND APPLIANCES LISTED FOR USE WITH TYPE B VENTS, of the International Fuel Gas Code.

(Ord. No. 237, Enacted, 09/13/90; Ord. No. 296, Rep&ReEn, 07/22/93; Ord. No. 713, Rep&ReEn, 03/13/08; Ord.

No. 788, Rep&ReEn, 04/24/14)

7-08-080.C Appendix C, EXIT TERMINALS OF MECHANICAL DRAFT AND DIRECT-VENT VENTING SYSTEMS, of the International Fuel Gas Code.

(Ord. No. 237, Enacted, 09/13/90; Ord. No. 296, Rep&ReEn, 07/22/93; Ord. No. 713, Rep&ReEn, 03/13/08; Ord. No. 788, Rep&ReEn, 04/24/14)

7-08-080.D Appendix D, RECOMMENDED PROCEDURE FOR SAFETY INSPECTION OF AN EXISTING APPLIANCE INSTALLATION, of the International Fuel Gas Code.

(Ord. No. 237, Enacted, 09/13/90; Ord. No. 296, Rep&ReEn, 07/22/93; Ord. No. 713, Rep&ReEn, 03/13/08; Ord. No. 788, Rep&ReEn, 04/24/14)

Article 7-09 ADOPTION OF THE INTERNATIONAL ENERGY CONSERVATION CODE (IECC)

- 7-09-005 Adoption of the International Energy Conservation Code.
- 7-09-010 Amendment of Chapter 1, ADMINISTRATION, of the International Energy Conservation Code.
- 7-09-020 Chapter 2, DEFINITIONS, of the International Energy Conservation Code.
- 7-09-030 Chapter 3, CLIMATE ZONES, of the International Energy Conservation Code.
- 7-09-040 Chapter 4, RESIDENTIAL ENERGY EFFICIENCY, of the International Energy Conservation Code.
- 7-09-050 Amendment of Chapter 5, COMMERCIAL ENERGY EFFICIENCY, of the International Energy Conservation Code.
- 7-09-060 Chapter 6, REFERENCED STANDARDS, of the International Energy Conservation Code.
- 7-09-070 Reserved.

7-09-005 Adoption of the International Energy Conservation Code.

The International Energy Conservation Code, 2006 Edition, as copyrighted by the International Code Council and with amendments contained in this document, is hereby adopted by reference as though fully set forth herein, as one of the technical codes of the Town of Prescott Valley. At least three (3) copies of the aforesaid IECC shall be filed in the Office of the Town Clerk and made available for public use and inspection.

(Ord. No. 738, Enacted, 12/17/09)

7-09-010 Amendment of Chapter 1, ADMINISTRATION, of the International Energy Conservation Code.

- A. SECTION 101, SCOPE AND GENERAL REQUIREMENTS, Subsection 101.1 Title, is hereby amended to read as follows:

SECTION 101. SCOPE AND GENERAL REQUIREMENTS

101.1 Title. These regulations shall be known as the Energy Conservation Code of the Town of Prescott Valley, hereinafter referred to as “this code.”

- B. SECTION 101, SCOPE AND GENERAL REQUIREMENTS, Subsection 101.4.4, Change in Occupancy, is hereby deleted in its entirety.
- C. SECTION 101, SCOPE AND GENERAL REQUIREMENTS, Subsection 101.4.5, Mixed Occupancy, is hereby amended to read as follows:

101.4.5 Mixed Occupancy. Where a building includes both residential and commercial occupancies, the residential occupancy shall meet the applicable provisions of Chapter 4 for residential only. The building thermal envelope that encloses the residential

space shall also include the element which separates the residential from the commercial occupancy.

- D. SECTION 101, SCOPE AND GENERAL REQUIREMENTS, Subsection 101.5, Compliance, is hereby amended to read as follows:

101.5 Compliance. Residential buildings shall meet the provisions of Chapter 4.

- E. SECTION 101, SCOPE AND GENERAL REQUIREMENTS, Subsection 101, Scope and General Requirements, is hereby amended by adding the following Subsection, to read as follows:

Section 101 Scope and General Requirements

...

101.6 Administration of the Energy Conservation Code. This code shall be administered pursuant to Article 7-01, THE TOWN OF PRESCOTT VALLEY ADMINISTRATIVE CODE, in Chapter 7, BUILDING, of the Prescott Valley Town Code.

- F. SECTION 101, SCOPE AND GENERAL REQUIREMENTS, Subsection 105, Inspections, is hereby amended by adding the following Subsection, to read as follows:

Section 105 Inspections

...

105.5. Energy Efficiency Inspection. Insulation inspection shall be made after frame and exterior lath or dried in an exterior wall and all rough plumbing, mechanical, gas and electrical systems are approved and prior to covering or concealment. Blown or sprayed roof/ceiling insulation shall be verified by inspection prior to building final inspection approval.

(Ord. No. 237, Enacted, 09/13/90; Ord. No. 276, Rep&ReEn, 06/11/92; Ord. No. 521, Rep&ReEn, 05-09-02; Ord. No. 738, Rep&ReEn, 12/17/09)

7-09-020 Chapter 2, DEFINITIONS, of the International Energy Conservation Code.

(Ord. No. 276, Enacted, 06/11/92; Ord. No. 485, Amended, 05/25/00; Ord. No. 521, Rep&ReEn, 05/09/02; Ord. No. 788, Rep&ReEn, 04/24/14)

7-09-030 Chapter 3, CLIMATE ZONES, of the International Energy Conservation Code.

(Ord. No. 276, Enacted, 06/11/92; Ord. No. 485, Amended, 05/25/00; Ord. No. 521, Rep&ReEn, 05/09/02; Ord. No. 788, Rep&ReEn, 04/24/14)

7-09-040 Chapter 4, RESIDENTIAL ENERGY EFFICIENCY, of the International Energy Conservation Code.

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(Ord. No. 237, Enacted, 09/13/90; Ord. No. 276, Rep&ReEn, 06/11/92; Ord. No. 521, Rep&ReEn, 05-09-02; Ord. No. 738, Rep&ReEn, 12/17/09; Ord. No. 788, Rep&ReEn, 04/24/14)

7-09-050 Amendment of Chapter 5, COMMERCIAL ENERGY EFFICIENCY, of the International Energy Conservation Code.

A. CHAPTER 5, COMMERCIAL ENERGY EFFICIENCY, is hereby deleted in its entirety.

(Ord. No. 237, Enacted, 09/13/90; Ord. No. 276, Rep&ReEn, 06/11/92; Ord. No. 521, Rep&ReEn, 05-09-02; Ord. No. 738, Rep&ReEn, 12/17/09)

7-09-060 Chapter 6, REFERENCED STANDARDS, of the International Energy Conservation Code.

(Ord. No. 276, Enacted, 06/11/92; Ord. No. 485, Amended, 05/25/00; Ord. No. 521, Rep&ReEn, 05/09/02; Ord. No. 788, Rep&ReEn, 04/24/14)

7-09-070 Reserved.

(Ord. No. 276, Enacted, 06/11/92; Ord. No. 521, Rep&ReEn, 05/09/02)

Article 7-10 GENERAL PROVISIONS AND PUBLIC RIGHTS OF WAY

- 7-10-010 Construction Trash.**
- 7-10-020 Construction in Front of Private Driveways.**
- 7-10-030 Excavation in Rights-of-Way.**

7-10-010 Construction Trash.

All litter, trash, rubbish, waste or garbage produced by construction activities shall be contained in receptacles which are adequate to prevent such materials from littering adjacent properties. All such litter, trash, rubbish, waste or garbage shall be completely and properly removed from all construction sites prior to the final inspection. The contractor shall not dump waste or other material on private property without first obtaining from the owner written permission for such dumping. All such dumping shall be in strict conformance with all provisions of this Code and any other governmental rules and regulations, including the requirement for a fill permit.

(Ord. No. 64, Enacted, 01/28/82; Ord. No. 90, Ren&Amd, 12/15/83, 11-01-220; Ord. No. 154, Renumbered, 08/27/87, 7-04-040; Ord. No. 178, Ren&Amd, 05/26/88, 7-04-050; Ord. No. 237, Ren&Amd, 09/13/90, 7-07; Ord. No. 375, Renumbered, 12/28/95, 7-10)

7-10-020 Construction in Front of Private Driveways.

Access to private property shall be maintained to keep inconvenience to the property owner to a minimum. Prior to any construction in front of driveways, the contractor shall notify the property owner twenty-four (24) hours in advance. Inconvenience caused by construction across driveways and sidewalks shall be kept to a minimum by restoring serviceability as soon as possible. If it is necessary to leave an open excavation unattended, the contractor shall provide structurally adequate steel plates to bridge the excavation or shall provide warning signals and barriers appropriately placed around the excavation for the protection of the property and all residents or others traveling thereon.

(Ord. No. 64, Enacted, 01/28/82; Ord. No. 90, Ren&Amd, 12/15/83, 11-01-220; Ord. No. 154, Renumbered, 08/27/87, 7-04-040; Ord. No. 178, Ren&Amd, 05/26/88, 7-04-050; Ord. No. 237, Ren&Amd, 09/13/90, 7-07; Ord. No. 375, Renumbered, 12/28/95, 7-10)

7-10-030 Excavation in Rights-of-Way.

Any pipe, line or other item which is installed or placed across, under or in the roads or streets located within the Town, must be installed by drilling or boring. Digging, excavating or similar actions in or on the roads and streets of the Town shall be a misdemeanor unless permitted by the Town Engineer or his designated representative.

(Ord. No. 64, Enacted, 01/28/82; Ord. No. 90, Ren&Amd, 12/15/83, 11-01-220; Ord. No. 154, Renumbered, 08/27/87, 7-04-040; Ord. No. 178, Ren&Amd, 05/26/88, 7-04-050; Ord. No. 237, Ren&Amd, 09/13/90, 7-07; Ord. No. 375, Renumbered, 12/28/95, 7-10)

Article 7-11 DEVELOPMENT FEES

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7-11-010 Title.

This Article shall be known as the “2011 Development Impact Fee Ordinance of the Town of Prescott Valley,” and may be cited as such.

(Ord. No. 297, Enacted, 07/22/93; Ord. No. 335, Repealed, 09/15/94; Ord. No. 357, Enacted, 03/23/95; Ord. No. 764, Rep&ReEn, 01/12/12)

7-11-020 Legislative Intent and Purpose.

This Article is adopted for the purpose of promoting the health, safety and general welfare of the residents of the Town by:

- A. Requiring new development to pay its proportionate share of the costs incurred by the Town that are associated with providing Necessary Public Services to new development.
- B. Setting forth standards and procedures for creating and assessing development impact fees consistent with the requirements of Arizona Revised Statutes (“A.R.S.”) §9-463.05, including requirements pursuant to A.R.S. §9-463.05(K) that, on or before August 1, 2014, the Town replace its development impact fees that were adopted prior to January 1, 2012 with development impact fees adopted pursuant to the requirements of A.R.S. §9-463.05 as amended by the state legislature in SB 1525, Fiftieth Legislature, First Regular Session.
- C. Providing for the temporary continuation of certain development impact fees adopted prior to January 1, 2012 until otherwise replaced pursuant to this Article, or longer where such development impact fees were pledged to support Financing or Debt for a

Grandfathered Facility as permitted by A.R.S. §9-463.05(K), (R), and (S).

- D. Setting forth procedures for administering the development impact fee program, including mandatory offsets, Credits, and refunds of development impact fees. All development impact fee assessments, offsets, Credits, or refunds must be administered in accordance with the provisions of this Article.

This Article shall not affect the Town's zoning authority or its authority to adopt or amend its General Plan, provided that planning and zoning activities by the Town may require amendments to development impact fees as provided in Article 7-11-070 of this Article.

(Ord. No. 297, Enacted, 07/22/93; Ord. No. 315, Amended, 01/27/94; Ord. No. 323, Amended, 04/28/94; Ord. No. 335, Repealed, 09/15/94; Ord. No. 357, Enacted, 03/23/95; Ord. No. 454, Amended, 03/11/99; Ord. No. 764, Rep&ReEn, 01/12/12)

7-11-030 Definitions.

- A. When used in this Article, the terms listed below shall have the following meanings unless the context requires otherwise. Singular terms shall include their plural.
1. Applicant: A person who applies to the Town for a Building Permit.
 2. Appurtenance: Any fixed machinery or equipment, structure or other fixture, including integrated hardware, software or other components, associated with a Capital Facility that are necessary or convenient to the operation, use, or maintenance of a Capital Facility, but excluding replacement of the same after initial installation.
 3. Aquatic Center: A facility primarily designed to host non-recreational competitive functions generally occurring within water, including, but not limited to, water polo games, swimming meets, and diving events. Such facility may be indoors, outdoors, or any combination thereof, and includes all necessary supporting amenities, including but not limited to, locker rooms, offices, snack bars, bleacher seating, and shade structures.
 4. Building Permit: Any permit issued by the Town that authorizes vertical construction, increases square footage, authorizes changes to land use, or provides for the addition of a residential or non-residential point of demand to a water or wastewater system.
 5. Capital Facility: An asset having a Useful Life of three (3) or more years that is a component of one (1) or more Categories of Necessary Public Service provided by the Town. A Capital Facility may include any associated purchase of real property, architectural and engineering services leading to the design and construction of buildings and facilities, improvements to existing facilities, improvements to or expansions of existing facilities, and associated financing and professional services. Wherever used herein, "infrastructure" shall have the same meaning as "Capital Facilities."
 6. Category of Necessary Public Service: A category of Necessary Public Services

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for which the Town is authorized to assess development impact fees, as further defined in Section 7-11-080(A)(1) of this Article.

7. **Category of Development:** A specific category of residential, commercial, or industrial development against which a development impact fee is calculated and assessed. The Town assesses development impact fees against the following categories of development: single-family housing, multi-family housing, retail, commercial/office and industrial.
8. **Commercial/Office Land Use:** That category of land use that includes office and commercial facilities which act as a buffer between residential and other areas and which do not typically offer materials or equipment for sale, as further defined and regulated in Article 13 of the Town Code.
9. **Credit:** A reduction in an assessed development impact fee resulting from developer contributions to, payments for, construction of, or dedications for capital facilities included in an Infrastructure Improvements Plan pursuant to Section 7-11-120 of this Article (or as otherwise permitted by this Article).
10. **Credit Agreement:** A written agreement between the Town and the developer(s) of Subject Development that allocates Credits to the Subject Development pursuant to Section 7-11-120 of this Article. A Credit Agreement may be included as part of a Development Agreement pursuant to Section 7-11-130 of this Article.
11. **Credit Allocation:** A term used to describe when Credits are distributed to a particular development or parcel of land after execution of a Credit Agreement, but are not yet issued.
12. **Credit Issuance:** A term used to describe when the amount of an assessed development impact fee attributable to a particular development or parcel of land is reduced by applying a Credit allocation.
13. **Developer:** An individual, group of individuals, partnership, corporation, limited liability company, association, municipal corporation, state agency, or other person or entity undertaking land development activity, and their respective successors and assigns.
14. **Development Agreement:** An agreement prepared in accordance with the requirements of Section 7-11-130 of this Article, A.R.S. §9-500.05, and any applicable requirements of the Town Code.
15. **Direct Benefit:** A benefit to an EDU resulting from a Capital Facility that: (a) addresses the need for a Necessary Public Service created in whole or in part by the EDU; and that (b) meets either of the following criteria: (i) the Capital Facility is located in the immediate area of the EDU and is needed in the immediate area of the EDU to maintain the Level of Service; or (ii) the Capital Facility substitutes for, or eliminates the need for a Capital Facility that would have otherwise have been needed in the immediate area of the EDU to maintain the Town's Level of Service.

16. Dwelling Unit: A house, apartment, mobile home or trailer, group of rooms, or single room occupied as separate living quarters or, if vacant, intended for occupancy as separate living quarters.
17. Equipment: Machinery, tools, materials, and other supplies, not including vehicles, that are needed by a Capital Facility to provide the Level of Service specified by the Infrastructure Improvement Plan, but excluding replacement of the same after initial development of the Capital Facility.
18. Equivalent Demand Unit (EDU): A unit of development within a particular Category of Development, defined in terms of a standardized measure of the demand that a unit of development in that Category of Development generates for Necessary Public Services in relation to the demand generated by a detached single-family Dwelling Unit. For all Categories of Necessary Public Services, the EDU factor for a detached single-family Dwelling Unit is one (1), while the EDU factor for a unit of development within another Category of Development is represented as a ratio of the demand for each Category of Necessary Public Services typically generated by that unit as compared to the demand for such services typically generated by a detached single-family Dwelling Unit. An EDU shall be a “service unit” for purposes of A.R.S. §9-463.05(T)(10).
19. Excluded Library Facility: Library facilities for which development impact fees may not be charged pursuant to A.R.S. §9-463.05, including that portion of any Library facility that exceeds 10,000 square feet, and Equipment, Vehicles or Appurtenances associated with Library operations.
20. Excluded Park Facility: Park and recreational facilities for which development impact fees may not be charged pursuant to A.R.S. §9-463.05, including amusement parks, aquariums, Aquatic Centers, auditoriums, arenas, arts and cultural facilities, bandstand and orchestra facilities, bathhouses, boathouses, clubhouses, community centers greater than 3000 square feet in floor area, environmental education centers, equestrian facilities, golf course facilities, greenhouses, lakes, museums, theme parks, water reclamation or riparian areas, wetlands, or zoo facilities.
21. Fee Report: A written report developed pursuant to Section 7-11-090 of this Article that identifies the methodology for calculating the amount of each development impact fee, explains the relationship between the development impact fee to be assessed and the Plan-Based Cost per EDU calculated in the Infrastructure Improvements Plan, and which meets other requirements set forth in A.R.S. §9-463.05.
22. Financing or Debt: Any debt, bond, note, loan, interfund loan, fund transfer, or other debt service obligation used to finance the development or expansion of a Capital Facility.
23. Grandfathered Facilities: Capital Facilities provided through Financing or Debt incurred before June 1, 2011 for which a development impact fee has been pledged towards repayment as described in Section 7-11-050(C) of this Article.

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24. General Plan: Refers to the overall land-use plan for the Town establishing areas of the Town for different purposes, zones and activities adopted pursuant to Town Resolution 1066, as amended, and including any specific area plans adopted by Town Resolution.
25. Gross Impact Fee: The total development impact fee to be assessed against a Subject Development on a per unit basis, prior to subtraction of any Credits.
26. Industrial Land Use: That category of land use that includes manufacturing development, wholesale & commercial uses as further defined and regulated in Article 13 of the Town Code.
27. Infrastructure Improvements Plan: A document or series of documents that meet the requirements set forth in A.R.S. §9-463.05, including those adopted pursuant to Section 7-11-090 of this Article to cover any Category or combination of Categories of Necessary Public Services.
28. Interim Fee Schedule: Any development impact fee schedule established prior to January 1, 2012 in accordance with then-applicable law, and which shall expire not later than August 1, 2014 pursuant to Section 7-11-110 of this Article.
29. Land Use Assumptions: Projections of changes in land uses, densities, intensities and population for a Service Area over a period of at least ten (10) years as specified in Section 7-11-070 of this Article.
30. Level of Service: A quantitative and/or qualitative measure of a Necessary Public Service that is to be provided by the Town to development in a particular Service Area, defined in terms of the relationship between service capacity and service demand, accessibility, response times, comfort or convenience of use, or other similar measures or combinations of measures. Level of Service may be measured differently for different Categories of Necessary Public Services, as identified in the applicable Infrastructure Improvements Plan.
31. Library Facilities: A Category of Necessary Public Services in which literary, musical, artistic, or reference materials are kept (materials may be kept in any form of media such as electronic, magnetic, or paper) for non-commercial use by the public in a facility providing a Direct Benefit to development. Libraries do not include Excluded Library Facilities, although a Library may contain, provide access to, or otherwise support an Excluded Library Facility.
32. Necessary Public Services: "Necessary Public Services" shall have the meaning prescribed in A.R.S. §9-463.05(T)(5).
33. Offset: An amount which is subtracted from the overall costs of providing Necessary Public Services to account for those capital components of infrastructure or associated debt that have been or will be paid for by a development through taxes, fees (except for development impact fees), and other revenue sources, as determined by the Town pursuant to Section 7-11-

080 of this Article.

34. **Parks and Recreational Facilities:** A Category of Necessary Public Services including but not limited to parks, swimming pools and related facilities and equipment located on real property not larger than 30 acres in area, as well as park facilities larger than thirty (30) acres where such facilities provide a Direct Benefit. Parks and Recreational Facilities do not include Excluded Park Facilities, although Parks and Recreational Facilities may contain, provide access to, or otherwise support an Excluded Park Facility.
35. **Plan-Based Cost Per EDU:** The total future capital costs listed in the Infrastructure Improvements Plan for a Category of Necessary Public Services divided by the total new equivalent demand units projected in a particular Service Area for that Category of Necessary Public Services over the same time period.
36. **Pledged:** Where used with reference to a development impact fee, a development impact fee shall be considered “pledged” where it was identified by the Town as a source of payment or repayment for Financing or Debt that was identified as the source of financing for a Necessary Public Service for which a development impact fee was assessed pursuant to the then-applicable provisions of A.R.S. §9-463.05.
37. **Police Facilities:** A Category of Necessary Public Services, including Vehicles and Equipment, that are used by law enforcement agencies to preserve the public peace, prevent crime, detect and arrest criminal offenders, protect the rights of persons and property, regulate and control motorized and pedestrian traffic, train sworn personnel, and/or provide and maintain police records, vehicles, equipment, and communications systems. Police Facilities do not include Vehicles and Equipment used to provide administrative services, or helicopters or airplanes. Police Facilities do not include any facility that is used for training officers from more than one (1) station or substation.
38. **Private School:** An institution of learning offering education for children which charges students tuition, including some or all of the grades from kindergarten through twelfth (12th) grade. The site may contain athletic, dining, assembly and recreation facilities.
39. **Public School:** An institution of learning offering free education for all children, including some or all of the grades from kindergarten through 12th grade. The site may contain athletic, dining, assembly and recreation facilities.
40. **Qualified Professional:** Any 1 of the following: (a) a professional engineer, surveyor, financial analyst or planner, or other licensed professional providing services within the scope of that person’s education or experience related to Town planning, zoning, or impact development fees and holding a license issued by an agency or political subdivision of the State of Arizona; (b) a financial analyst, planner, or other non-licensed professional that is providing services within the scope of the person’s education or experience related to Town planning, zoning, or impact development fees; or (c) any other person

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operating under the supervision of 1 or more of the above.

41. Residential Land Use: That category of land use that includes single-family and multi-family dwelling units as further defined and regulated in Article 13 of the Town Code.
42. Retail: That category of land use that typically generates transaction privilege taxes for the Town as further defined and regulated in Article 13 of the Town Code.
43. Service Area: Any specified area within the boundaries of the Town within which: (a) the Town will provide a Category of Necessary Public Services to development at a planned Level of Service; and (b) within which (i) a Substantial Nexus exists between the Capital Facilities to be provided and the development to be served, or (ii) in the case of Library Facilities or a Park Facility larger than 30 acres, a Direct Benefit exists between the Library Facilities or Park Facilities and the development to be served, each as prescribed in the Infrastructure Improvements Plan. Some or all of the Capital Facilities providing service to a Service Area may be physically located outside of that Service Area provided that the required Substantial Nexus or Direct Benefit is demonstrated to exist.
44. Street Facilities: A Category of Necessary Public Services including arterial or collector streets or roads, traffic signals, rights-of-way, and improvements thereon, bridges, culverts, irrigation tiling, storm drains, and regional transportation facilities.
45. Storm Drainage: A Category of Necessary Public Services including but not limited to storm sewers constructed in sizes needed to provide for storm water management for areas beyond major street projects and storm water detention/retention basins, tanks, pump stations and channels necessary to provide for proper storm water management, including any appurtenances for those facilities.
46. Subject Development: A land area linked by a unified plan of development, which must be contiguous unless the land area is part of a development agreement executed in accordance with Section 7-11-130 of this Article.
47. Substantial Nexus: A substantial nexus exists where the demand for Necessary Public Services that will be generated by an EDU can be reasonably quantified in terms of the burden it will impose on the available capacity of existing Capital Facilities, the need it will create for new or expanded Capital Facilities, and/or the benefit to the development from those Capital Facilities.
48. Swimming Pool: A public facility primarily designed and/or utilized for recreational non-competitive functions generally occurring within water, including, but not limited to, swimming classes, open public swimming sessions, and recreational league swimming/diving events. The facility may be indoors, outdoors, or any combination thereof, and includes all necessary supporting amenities.

- 49. Town: The Town of Prescott Valley, Arizona.
- 50. Useful Life: The period of time in which an asset can reasonably be expected to be used under normal conditions, whether or not the asset will continue to be owned and operated by the Town over the entirety of such period.
- 51. Vehicle: Any device, structure, or conveyance utilized for transportation in the course of providing a particular Category of Necessary Public Services at a specified Level of Service, excluding helicopters and other aircraft.
- 52. Warehouse: That category of land use for goods that typically are for storage and distribution as further defined and regulated in Article 13 of the Town Code.
- 53. Wholesale: That category of land use for goods that typically are not for sale to the general public and may generate TPT as further defined and regulated in Article 13 of the Town Code.

(Ord. No. 357, Enacted, 03/23/95; Ord. No. 764, Rep&ReEn, 01/12/12)

7-11-040 Applicability.

- A. Except as otherwise provided herein, from and after January 1, 2012, this Article shall apply to all new development within any Service Area, except for the development of any public school, private school or Town facility.
- B. The provisions of this Article shall apply to all of the territory within the corporate limits of the Town.
- C. The Town manager or his/her designee is authorized to make determinations regarding the application, administration and enforcement of the provisions of this Article.

(Ord. No. 357, Enacted, 03/23/95; Ord. No. 557, Amended, 06/12/03; Ord. No. 764, Rep&ReEn, 01/12/12)

7-11-050 Authority for Development Impact Fees.

- A. Fee Report and Implementation. The Town may assess and collect a development impact fee for costs of Necessary Public Services, including all professional services required for the preparation or revision of an Infrastructure Improvements Plan, Fee Report, development impact fee, and required reports or audits conducted pursuant to this Article. Development impact fees shall be subject to the following requirements:
 - 1. The Town shall develop and adopt a Fee Report that analyzes and defines the development impact fees to be charged in each Service Area for each Capital Facility Category, based on the Infrastructure Improvements Plan and the Plan-Based Cost per EDU calculated pursuant to Section 7-11-080(A)(12) of this Article.
 - 2. Development impact fees shall be assessed against all new retail,

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commercial/office, residential, and industrial developments, provided that the Town may assess different amounts of development impact fees against specific Categories of Development based on the actual burdens and costs that are associated with providing Necessary Public Services to that Category of Development. No development impact fee shall exceed the Plan-Based Cost per EDU for any Category of Development.

3. No development impact fees shall be charged, or Credits issued, for any Capital Facility that does not fall within one (1) of the Categories of Necessary Public Services for which development impact fees may be assessed as identified in Section 7-11-080(A)(1) of this Article.
 4. Costs for Necessary Public Services made necessary by new development shall be based on the same Level of Service provided to existing development in the same Service Area. Development impact fees may not be used to provide a higher Level of Service to existing development or to meet stricter safety, efficiency, environmental, or other regulatory standards to the extent that these are applied to existing Capital Facilities that are serving existing development.
 5. Development impact fees may not be used to pay the Town's administrative, maintenance, or other operating costs.
 6. Projected interest charges and financing costs can only be included in development impact fees to the extent they represent principal and/or interest on the portion of any Financing or Debt used to finance the construction or expansion of a Capital Facility identified in the Infrastructure Improvements Plan.
 7. Except for any fees included on Interim Fee Schedules, all development impact fees charged by the Town must be included in a "Fee Schedule" prepared pursuant to this Article and included in the Fee Report.
 8. All development impact fees shall meet the requirements of A.R.S. §9-463.05.
- B. Costs per EDU. The Fee Report shall summarize the costs of Capital Facilities necessary to serve new development on a per EDU basis as defined and calculated in the Infrastructure Improvements Plan, including all required Offsets, and shall recommend a development impact fee structure for adoption by the Town. The actual impact fees to be assessed shall be disclosed and adopted in the form of impact fee schedules adopted by Resolution of the Town Council by the procedures contained herein.
- C. Carry-over of Previously-Established Development Impact Fees and Grandfathered Facilities. Notwithstanding the requirements of this Article, certain development impact fees adopted by the Town prior to the effective date of this Article shall continue in effect as follows:
1. Until August 1, 2014 or the date a new development impact fee is adopted for the applicable Category of Necessary Public Services in a Service Area pursuant

to this Article, whichever occurs first, development impact fees established prior to January 1, 2012 shall continue in full force and effect to the extent that the development impact fee is used to provide a Category of Necessary Public Services that is authorized by Section 7-11-080 of this Article. Development impact fees collected prior to January 1, 2012, shall be expended on Capital Facilities within the same Category of Necessary Public Services for which they were collected.

2. The Town may continue to collect and use any development impact fee established before January 1, 2012, even if the development impact fee would not otherwise be permitted to be collected and spent pursuant to A.R.S. §9-463.05, as amended by the state legislature in SB 1525, Fiftieth Legislature, First Regular Session, if either of the following apply:
 - a. Both of the following conditions are met:
 - i. Prior to June 1, 2011, the development impact fee was pledged towards the repayment of Financing or Debt incurred by the Town to provide a Capital Facility.
 - ii. The applicable Capital Facility was included in the Town's Infrastructure Improvements Plan, or other Town planning document prepared pursuant to applicable law, prior to June 1, 2011.
 - b. Before August 1, 2014, the Town uses the development impact fee to finance a Capital Facility in accordance with A.R.S. §9-463.05(S).
3. Defined terms in any previously established fee schedule shall be interpreted according to the ordinance in effect at the time of their adoption.

(Ord. No. 357, Enacted, 03/23/95; Ord. No. 557, Amended, 06/12/03; Ord. No. 764, Rep&ReEn, 01/12/12)

7-11-060 Administration of Development Impact Fees.

- A. **Separate Accounts.** Development impact fees collected pursuant to this Article shall be placed in separate, interest-bearing accounts for each Capital Facility category within each Service Area.
- B. **Limitations on Use of Fees.** Development impact fees and any interest thereon collected pursuant to this Article shall be spent to provide Capital Facilities associated with the same Category of Necessary Public Services in the same Service Area for which they were collected, including costs of Financing or Debt used by the Town to finance such Capital Facilities and other costs authorized by this Article that are included in the Infrastructure Improvements Plan.
- C. **Time Limit.** Development impact fees collected after July 31, 2014 shall be used within ten (10) years of the date upon which they were collected for all Categories of Necessary Public Services.

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(Ord. No. 557, Enacted, 06/12/03; Ord. No. 764, Rep&ReEn, 01/12/12)

7-11-070 Land Use Assumptions.

The Infrastructure Improvements Plan shall be consistent with the Town's current Land Use Assumptions for each Service Area and each Category of Necessary Public Services as adopted by the Town pursuant to A.R.S. §9-463.05.

- A. Reviewing the Land Use Assumptions. Prior to the adoption or amendment of an Infrastructure Improvements Plan, the Town shall review and evaluate the Land Use Assumptions on which the Infrastructure Improvements Plan is to be based to ensure that the Land Use Assumptions within each Service Area conform to the General Plan.
- B. Evaluating Necessary Changes. If the Land Use Assumptions upon which an Infrastructure Improvements Plan is based have not been updated within the last five (5) years, the Town shall evaluate the Land Use Assumptions to determine whether changes are necessary. If, after general evaluation, the Town determines that the Land Use Assumptions are still valid, the Town shall issue the report required in Section 7-11-100 of this Article.
- C. Required Modifications to Land Use Assumptions. If the Town determines that changes to the Land Use Assumptions are necessary in order to adopt or amend an Infrastructure Improvements Plan, it shall make such changes as necessary to the Land Use Assumptions prior to or in conjunction with the review and approval of the Infrastructure Improvements Plan pursuant to Section 7-11-100 of this Article.

(Ord. No. 357, Enacted, 03/23/95; Ord. No. 557, Amended, 06/12/03; Ord. No. 764, Rep&ReEn, 01/12/12)

7-11-080 Infrastructure Improvements Plan.

- A. Infrastructure Improvements Plan Contents. The Infrastructure Improvements Plan shall be developed by Qualified Professionals and may be based upon or incorporated within the Town's Capital Improvements Plan. The Infrastructure Improvements Plan shall:
 1. Specify the Categories of Necessary Public Services for which the Town may impose a development impact fee, which may include any or all of the following:
 - a. Storm Water, Drainage, and Flood Control
 - b. Libraries
 - c. Street Facilities
 - d. Police
 - e. Parks

2. Define and provide a map of one (1) or more Service Areas within which the Town will provide each Category of Necessary Public Services for which development impact fees will be charged. Each Service Area must be defined in a manner that demonstrates a Substantial Nexus between the Capital Facilities to be provided in the Service Area and the EDUs to be served by those Capital Facilities. For Libraries and for Parks larger than thirty (30) acres, each Service Area must be defined in a manner that demonstrates a Direct Benefit between the Capital Facilities and the EDUs to be served by those Capital Facilities. The Town may cover more than 1 category of Capital Facilities in the same Service Area provided that there is an independent Substantial Nexus or Direct Benefit, as applicable, between each Category of Necessary Public Services and the EDUs to be served.
3. Identify and describe the Land Use Assumptions upon which the Infrastructure Improvements Plan is based in each Service Area.
4. Analyze and identify the existing Level of Service provided by the Town to existing EDUs for each Category of Necessary Public Services in each Service Area.
5. Identify the Level of Service to be provided by the Town for each Category of Necessary Public Services in each Service Area based on the relevant Land Use Assumptions and any established Town standards or policies related to required Levels of Service. If the Town provides the same Category of Necessary Public Services in more than 1 Service Area, the Infrastructure Improvements Plan shall include a comparison of the Levels of Service to be provided in each Service Area.
6. For each Category of Necessary Public Services, analyze and identify the existing capacity of the Capital Facilities in each Service Area, the utilization of those Capital Facilities by existing EDUs, and the available excess capacity of those Capital Facilities to serve new EDUs including any existing or planned commitments or agreements for the usage of such capacity. The Infrastructure Improvements Plan shall additionally identify: (a) any changes or upgrades to existing Capital Facilities that will be needed to achieve or maintain the planned Level of Service to existing EDUs, or to meet new safety, efficiency, environmental, or other regulatory requirements for services provided to existing EDUs; and (b) those portions of Capital Facilities that will be necessary to serve any new public school, private school, or Town facility for which development impact fees will not be assessed.
7. Identify any Grandfathered Facilities and the impact thereof on the need for Necessary Public Services in each affected Service Area.
8. Estimate the total number of existing and future EDUs within each Service Area based on the Town's Land Use Assumptions and projected new EDUs in each Service Area.
9. Based on the analysis in Subsections (3)-(6) above, provide a summary table or tables describing the Level of Service for each Category of Necessary Public

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Services by relating the required Capital Facilities to EDUs in each Service Area, and identifying the applicable EDU factor associated with each Category of Development.

10. For each Category of Necessary Public Services, analyze and identify the projected utilization of any available excess capacity in existing Capital Facilities, and all new or expanded Capital Facilities that will be required to provide and maintain the planned Level of Service in each Service Area as a result of the new projected EDUs in that Service Area, for a period not to exceed ten (10) years. Nothing in this Subsection shall prohibit the Town from additionally including in its Infrastructure Improvements Plan projected utilization of, or needs for, Capital Facilities for a period longer than 10 years, provided that the costs of such Capital Facilities are excluded from the calculation of the Plan-Based Cost per EDU.
11. For each Category of Necessary Public Services, estimate the total cost of any available excess capacity and/or new or expanded Capital Facilities that will be required to serve new EDUs, including costs of land acquisition, improvements, engineering and architectural services, studies leading to design, design, construction, financing, and administrative costs, as well as projected costs of inflation. Such total costs shall not include costs for ongoing operation and maintenance of Capital Facilities, nor for replacement of Capital Facilities to the extent that such replacement is necessary to serve existing EDUs. If the Infrastructure Improvements Plan includes changes or upgrades to existing Capital Facilities that will be needed to achieve or maintain the planned Level of Service to existing EDUs, or to meet new regulatory requirements for services provided to existing EDUs, such costs shall be identified and distinguished in the Infrastructure Improvements Plan.
12. Forecast the revenues from taxes, fees, assessments or other sources that will be available to fund the new or expanded Capital Facilities identified in the Infrastructure Improvements Plan, which shall include estimated state-shared revenue, highway users revenue, federal revenue, ad valorem property taxes, construction contracting or similar excise taxes and the capital recovery portion of utility fees attributable to development based on the approved land use assumptions. The Infrastructure Improvements Plan shall additionally estimate the time required to finance, construct and implement the new or expanded Capital Facilities.
13. Calculate required Offsets as follows:
 - a. From the forecasted revenues in Subsection (12) of this Section, identify those sources of revenue that: (i) are attributable to new development, and (ii) will contribute to paying for the capital costs of Necessary Public Services.
 - b. For each source and amount of revenue identified pursuant to Subsection (a) of this Subsection, calculate the relative contribution of each Category of Development to paying for the capital costs of Necessary Public Services in each Service Area.

- c. Based on the relative contributions identified pursuant to Subsection (b) of this Subsection, for each Category of Necessary Public Services, calculate the total Offset to be provided to each Category of Development in each Service Area.
 - d. For each Category of Necessary Public Services, convert the total Offset to be provided to each Category of Development in each Service Area into an offset amount per EDU by dividing the total Offset for each Category of Development by the number of EDUs associated with that Category of Development.
 - e. Beginning August 1, 2014, for purposes of calculating the required Offset, if the Town imposes a construction, contracting, or similar excise tax rate in excess of the percentage amount of the transaction privilege tax rate that is imposed on the majority of other transaction privilege tax classifications in the Town, the entire excess portion of the construction, contracting, or similar excise tax shall be treated as a contribution to the capital costs of Necessary Public Services provided to new development unless the excess portion is already utilized for such purpose pursuant to this Section.
 - f. In determining the amount of required Offset for land included in a community facilities district established under A.R.S. Title 48, Chapter 4, Article 6, the Town shall take into account any Capital Facilities provided by the district that are included in the Infrastructure Improvements Plan and the capital costs paid by the district for such Capital Facilities, and shall offset impact fees assessed within the community facilities district proportionally.
14. Calculate the Plan-Based Cost per EDU by:
- a. Dividing the total projected costs to provide Capital Facilities to new EDUs for each Category of Necessary Public Services in each Service Area as determined pursuant to Subsection (9) of this Section into the number of new EDUs projected for that Service Area over a period not to exceed ten (10) years, considering the specific EDU factor(s) associated with such EDUs for each Category of Necessary Public Services.
 - b. Subtracting the required Offset per EDU calculated pursuant to Subsection (11) of this Section.
- B. Multiple Plans. An Infrastructure Improvements Plan adopted pursuant to this Subsection may address one (1) or more of the Town's Categories of Necessary Public Services in any or all of the Town's Service Areas. Each Capital Facility shall be subject to no more than 1 Infrastructure Improvements Plan at any given time.
- C. Reserved Capacity. The Town may reserve capacity in an Infrastructure Improvements Plan to serve 1 or more planned future developments, including capacity reserved through a Development Agreement pursuant to Section 7-11-130 of this Article. All

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reservations of existing capacity must be disclosed in the Infrastructure Improvements Plan at the time it is adopted.

(Ord. No. 357, Enacted, 03/23/95; Ord. No. 557, Amended, 06/12/03; Ord. No. 764, Rep&ReEn, 01/12/12)

7-11-090 Adoption and Modification Procedures.

- A. Adopting or Amending the Infrastructure Improvements Plan. The Infrastructure Improvements Plan shall be adopted or amended subject to the following procedures:
1. Major Amendments to the Infrastructure Improvements Plan. Except as provided in Subsection (2) of this Subsection, the adoption or amendment of an Infrastructure Improvement Plan shall occur at one (1) or more public hearings according to the following schedule, and may occur concurrently with the adoption of an update of the Town's Land Use Assumptions as provided in Section 7-11-070 of this Article:
 - a. Sixty (60) days before the first (1st) public hearing regarding a new or updated Infrastructure Improvements Plan, the Town shall provide public notice of the hearing and post the Infrastructure Improvements Plan and the underlying Land Use Assumptions on its website; the Town shall additionally make available to the public the documents used to prepare the Infrastructure Improvements Plan and underlying Land Use Assumptions and the amount of any proposed changes to the Plan-Based Cost per EDU.
 - b. The Town shall conduct a public hearing on the Infrastructure Improvements Plan and underlying Land Use Assumptions at least 30 days, but no more than 60 days, before approving or disapproving the Infrastructure Improvements Plan.
 2. Minor Amendments to the Infrastructure Improvements Plan. Notwithstanding the other requirements of this Section, the Town may update the Infrastructure Improvements Plan and/or its underlying Land Use Assumptions without a public hearing if all of the following apply:
 - a. The changes in the Infrastructure Improvements Plan and/or the underlying Land Use Assumptions will not add any new Category of Necessary Public Services to any Service Area.
 - b. The changes in the Infrastructure Improvements Plan and/or the underlying Land Use Assumptions will not increase the Level of Service to be provided in any Service Area.
 - c. Based on an analysis of the Fee Report and the Town's adopted development impact fee schedules, the changes in the Infrastructure Improvements Plan and/or the underlying Land Use Assumptions would not, individually or cumulatively with other amendments undertaken pursuant to this Subsection, have caused a development impact fee in

any Service Area to have been increased by more than five per cent (5%) above the development impact fee that is provided in the current development impact fee schedule.

- d. At least thirty (30) days prior to the date that the any amendment pursuant to this Section is adopted, the Town shall post the proposed amendments on the Town website and shall provide the Advisory Committee with written notice of the proposed amendments and the basis for compliance with this Section.

B. Amendments to the Fee Report. Any adoption or amendment of a Fee Report and fee schedule shall occur at one (1) or more public hearings according to the following schedule:

1. The first public hearing on the Fee Report must be held at least 30 days after the adoption or approval of and Infrastructure Improvements Plan as provided in Subsection (A) of this Section. The Town must give at least 30 days notice prior to the hearing, provided that this notice may be given on the same day as the approval or disapproval of the Infrastructure Improvements Plan.
2. The Town shall make the Infrastructure Improvements Plan and underlying Land Use Assumptions available to the public on the Town's website 30 days prior to the public hearing described in Subsection (1) of this Subsection.
3. The Fee Report may be adopted by the Town no sooner than 30 days, and no later than 60 days, after the hearing described in Subsection (1) of this Section.
4. The development fee schedules in the Fee Report adopted pursuant to this Subsection shall become effective seventy-five (75) days after adoption of the Fee Report by the Town.

(Ord. No. 764, Enacted, 01/12/12)

7-11-100 Timing for the Renewal and Updating of the Infrastructure Improvements Plan and the Land Use Assumptions.

- A. Renewing the Infrastructure Improvements Plan. Except as provided in Subsection (B) of this Section, not later than every five (5) years the Town shall update the applicable Infrastructure Improvements Plan and Fee Report related to each Category of Necessary Public Services pursuant to Section 7-11-090 of this Article. Such 5-year period shall be calculated from the date of the adoption of the Infrastructure Improvements Plan or the date of the adoption of the Fee Report, whichever occurs later.
- B. Determination of No Changes. Notwithstanding Subsection (A) of this Section, if the Town determines that no changes to an Infrastructure Improvements Plan, underlying Land Use Assumptions, or Fee Report are needed, the Town may elect to continue the existing Infrastructure Improvements Plan and Fee Report without amendment by providing notice as follows:

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1. Notice of the determination shall be published at least one-hundred-eighty (180) days prior to the end of the 5-year period described in Subsection (A) of this Section.
 2. The notice shall identify the Infrastructure Improvements Plan and Fee Report that shall continue in force without amendment.
 3. The notice shall provide a map and description of the Service Area(s) covered by such Infrastructure Improvements Plan and Fee Report.
 4. The notice shall identify an address to which any resident of the Town may submit, within sixty (60) days, a written request that the Town update the Infrastructure Improvements Plan, underlying Land Use Assumptions, and/or Fee Report and the reasons and basis for the request.
- C. Response to Comments. The Town shall consider and respond within thirty (30) days to any timely requests submitted pursuant to Subsection (B)(4) of this Section.

(Ord. No. 764, Enacted, 01/12/12)

7-11-110 Collection of Development Impact Fees.

- A. Collection. Development impact fees, together with administrative charges assessed pursuant to Subsection (A)(6) of this Section, shall be calculated and collected prior to issuance of permission to commence development; specifically:
1. Unless otherwise specified pursuant to a Development Agreement adopted pursuant to 7-11-130 of this Article, development impact fees shall be paid prior to issuance of a building permit according to the current development impact fee schedule for the applicable Service Area(s) as adopted pursuant to this Article, or according to any other development impact fee schedule as authorized in this Article.
 2. If a building permit is not required for the development, but water or wastewater connections are required, any and all development impact fees due shall be paid at the time the water service connection is purchased. If only a wastewater connection is required, the development impact fees shall be paid prior to approval of a connection to the sewer system.
 3. If the development is located in a Service Area with a Storm Water, Drainage, and Flood Control development impact fee, and neither a building permit, water, or sewer service connection is required, the Storm Drainage development impact fee due shall be paid at the time a civil or site permit is issued for the development.
 4. No building permit, water or sewer connection, or certificate of occupancy shall be issued if a development impact fee is not paid as directed in the previous Subsections.

5. If the building permit is for a change in the type of building use, an increase in square footage, a change to land use, or an addition to a residential or non-residential point of demand to the water or wastewater system, the development impact fee shall be assessed on the additional service units resulting from the expansion or change, and following the development impact fee schedule applicable to any new use type.
 6. For issued permits that expire or are voided, development impact fees and administrative charges shall be as follows:
 - a. If the original permittee is seeking to renew an expired or voided permit, and the development impact fees paid for such development have not been refunded, then the permittee shall pay the difference between any development impact fees paid at the time the permit was issued and those in the fee schedule at the time the permit is reissued or renewed.
 - b. If a new or renewed permit for the same development is being sought by someone other than the original permittee, the new permit Applicant shall pay the full development impact fees specified in the fee schedule in effect at the time that the permits are reissued or renewed. If the original permittee has assigned its rights under the permits to the new permit Applicant, the new permit Applicant shall pay development impact fees as if it were the original permittee.
- B. Exceptions. Development impact fees shall not be owed under either of the following conditions:
1. Development impact fees have been paid for the development and the permit(s) which triggered the collection of the development impact fees have not expired or been voided.
 2. The approval(s) that trigger the collection of development impact fees involve modifications to existing residential or non-residential development that do not: (a) add new EDUs, (b) increase the impact of existing EDUs on existing or future Capital Facilities, or (c) change the land-use type of the existing development to a different category of development for which a higher development impact fee would have been due. To the extent that any modification does not meet the requirements of this Subsection, the development impact fee due shall be the difference between the development impact fee that was or would have been due on the existing development and the development impact fee that is due on the development as modified.
- C. Temporary Exemptions from Development Impact Fee Schedules. New developments in the Town shall be temporarily exempt from increases in development impact fees that result from the adoption of new or modified development impact fee schedules as follows:
1. Residential Uses. On or after the day that the first building permit is issued for

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a single-family residential development, the Town shall, at the permittee's request, provide the permittee with an applicable development impact fee schedule that shall be in force for a period of twenty-four (24) months beginning on the day that the first building permit is issued, and which shall expire at the end of the first business day of the twenty-fifth (25th) month thereafter. During the effective period of the applicable development impact fee schedule, any building permit issued for the same single-family residential development shall not be subject to any new or modified development impact fee schedule.

2. Commercial, Industrial and Multifamily Uses. On or after the day that the final approval, as defined in A.R.S. §9-463.05(T)(4), is issued for a retail, commercial/office, industrial or multifamily development, the Town shall provide an applicable development impact fee schedule that shall be in force for a period of 24 months beginning on the day that final development approval of a site plan or final subdivision plat is given, and which shall expire at the end of the first business day of the 25th month thereafter. During the effective period of the applicable development impact fee schedule, any building permit issued for the same development shall not be subject to any new or modified development impact fee schedule.
 3. Other Development. Any Category of Development not covered under Subsections (1) and (2) of this Subsection shall pay development impact fees according to the fee schedule that is current at the time of collection as specified in Subsection (A) of this Section.
 4. Changes to Site Plans and Subdivision Plats. Notwithstanding the other requirements of this Subsection, if changes are made to a development's final site plan or subdivision plat that will increase the number of service units after the issuance of a grandfathered development impact fee schedule, the Town may assess any new or modified development impact fees against the additional service units. If the Town reduces the amount of an applicable development impact fee during the period that a grandfathered development impact fee schedule is in force, the Town shall assess the lower development impact fee.
- D. Option to Pursue Special Fee Determination. Where a development is of a type that does not closely fit within a particular Category of Development appearing on an adopted development impact fee schedule, or where a development has unique characteristics such that the actual burdens and costs associated with providing Necessary Public Services to that development will differ substantially from that associated with other developments in a specified Category of Development, the Town may require the Applicant to provide the Town Community Development Director or authorized designee with an alternative development impact fee analysis. Based on a projection of the actual burdens and costs that will be associated with the development, the alternative development impact fee analysis may propose a unique fee for the development based on the application of an appropriate EDU factor to the applicable Plan-Based Cost per EDU, or may propose that the development be covered under the development impact fee schedule governing a different and more analogous Category of Development. The Town Community Development Director or authorized

designee shall review the alternative impact fee analysis and shall make a determination as to the development impact fee to be charged. Such decision shall be appealable pursuant to Section 7-11-140 of this Article. The Town Community Development Director or authorized designee may require the Applicant to pay an administrative fee to cover the actual costs of reviewing the special fee determination application.

(Ord. No. 764, Enacted, 01/12/12)

7-11-120 Development Impact Fee Credits and Credit Agreements.

- A. Eligibility of Capital Facility. All development impact fee Credits must meet the following requirements:
 - 1. One (1) of the following is true:
 - a. The Capital Facility, or the financial contribution toward a Capital Facility that will be provided by the developer and for which a Credit will be issued, must be identified in an adopted Infrastructure Improvements Plan and Fee Report as a Capital Facility for which a development impact fee was assessed; or
 - b. The Applicant must demonstrate to the satisfaction of the Town that, given the class and type of improvement, the subject Capital Facility should have been included in the Infrastructure Improvements Plan in lieu of a different Capital Facility that was included in the Infrastructure Improvements Plan and for which a development impact fee was assessed. If the subject Capital Facility is determined to be eligible for a Credit in this manner, the Town shall amend the Infrastructure Improvements Plan to (i) include the subject replacement facility and (ii) delete the Capital Facility that will be replaced.
 - 2. Credits shall not be available for any infrastructure provided by a developer if the cost of such infrastructure will be repaid to the developer by the Town through another agreement or mechanism. To the extent that the developer will be paid or reimbursed by the Town for any contribution, payment, construction, or dedication from any Town funding source including an agreement to reimburse the developer with future collected development impact fees pursuant to Section 7-11-130 of this Article, any Credits claimed by the developer shall be: (a) deducted from any amounts to be paid or reimbursed by the Town; or (b) reduced by the amount of such payment or reimbursement.
- B. Eligibility of Subject Development. To be eligible for a Credit, the Subject Development must be located within the Service Area of the eligible Capital Facility.
- C. Calculation of Credits. Credits will be based on that portion of the costs for an eligible Capital Facility identified in the adopted Infrastructure Improvements Plan for which a development fee was assessed pursuant to the Fee Report. If the Gross

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Impact Fee for a particular category of Necessary Public Service is adopted at an amount lower than the Plan-Based Cost per EDU, the amount of any Credit shall be reduced in proportion to the difference between the Plan-Based Cost per EDU and the Gross Impact Fee adopted. A Credit shall not exceed the actual costs the Applicant incurred in providing the eligible Capital Facility.

- D. Allocation of Credits. Before any Credit can be issued to a Subject Development (or portion thereof), the Credit must be allocated to that development as follows:
1. The Developer and the Town must execute a Credit Agreement including all of the following:
 - a. The total amount of the Credits resulting from provision of an eligible Capital Facility.
 - b. The estimated number of EDUs to be served within the Subject Development.
 - c. The method by which the Credit values will be distributed within the Subject Development.
 2. It is the responsibility of the developer to request allocation of development impact fee Credits through an application for a Credit Agreement (which may be part of a Development Agreement entered into pursuant to Section 7-11-130 of this Article).
 3. If a building permit is issued or a water/sewer connection is purchased, and a development impact fee is paid prior to execution of a Credit Agreement for the Subject Development, no Credits may be allocated retroactively to that permit or connection. Credits may be allocated to any remaining permits for the Subject Development in accordance with this Article.
 4. If the entity that provides an eligible Capital Facility sells or relinquishes a development (or portion thereof) that it owns or controls prior to execution of a Credit Agreement or Development Agreement, Credits resulting from the eligible Capital Facility will only be allocated to the development if the entity legally assigns such rights and responsibilities to its successor(s) in interest for the Subject Development.
 5. If multiple entities jointly provide an eligible Capital Facility, both entities must enter into a single Credit Agreement with the Town, and any request for the allocation of Credit within the Subject Development(s) must be made jointly by the entities that provided the eligible Capital Facility.
 6. Credits may only be reallocated from or within a Subject Development with the Town's approval of an amendment to an executed Credit Agreement, subject to the following conditions:
 - a. The entity that executed the original agreement with the Town, or its legal successor in interest and the entity that currently controls the

Subject Development are parties to the request for reallocation.

- b. The reallocation proposal does not change the value of any Credits already issued for the Subject Development.
7. A Credit Agreement may authorize the allocation of Credits to a non-contiguous parcel only if all of the following conditions are met:
- a. The entity that executed the original agreement with the Town or its legal successor in interest, the entity that currently controls the Subject Development, and the entity that controls the non-contiguous parcel are parties to the request for reallocation.
 - b. The reallocation proposal does not change the value of any Credits already issued for the Subject Development.
 - c. The non-contiguous parcel is in the same Service Area as that served by the eligible Capital Facility.
 - d. The non-contiguous parcel receives a Necessary Public Service from the eligible Capital Facility.
 - e. The Credit Agreement specifically states the value of the Credits to be allocated to each parcel and/or EDU, or establishes a mechanism for future determination of the Credit values.
 - f. The Credit Agreement does not involve the transfer of Credits to or from any property subject to a Development Agreement.
- E. Credit Agreement. Credits shall only be issued pursuant to a Credit Agreement executed in accordance with Subsection (D) of this Section. The Town Manager or Authorized Designee is authorized by this Article to enter into a Credit Agreement with the controlling entity of a Subject Development, subject to the following:
1. The Developer requesting the Credit Agreement shall provide all information requested by the Town to allow it to determine the value of the Credit to be applied.
 2. An application for a Credit Agreement shall be submitted to the Town by the Developer within one (1) year of the date on which ownership or control of the Capital Facility passes to the Town.
 3. The Developer shall submit a draft Credit Agreement to the Town Manager or authorized designee(s) for review in the form provided to the Applicant by the Town. The draft Credit Agreement shall include, at a minimum, all of the following information and supporting documentation:
 - a. A legal description and map depicting the location of the Subject Development for which Credit is being applied. The map shall depict the location of the Capital Facilities that have been or will be provided.

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- b. An estimate of the total EDUs that will be developed within the Subject Development depicted on the map and described in the legal description.
 - c. A list of the Capital Facilities, associated physical attributes, and the related costs as stated in the Infrastructure Improvements Plan.
 - d. Documentation showing the date(s) of acceptance by the Town, if the Capital Facilities have already been provided.
 - e. The total amount of Credit to be applied within the Subject Development and the calculations leading to the total amount of Credit.
 - f. The Credit amount to be applied to each EDU within the Subject Development for each Category of Necessary Public Services.
4. The Credit Agreement shall be approved by the Town Council prior to its execution. The Town's determination of the Credit to be allocated is final.
 5. Upon execution of the Credit Agreement by the Town and the Applicant, Credits shall be deemed allocated to the Subject Development.
 6. Any amendment to a previously approved Credit Agreement must be initiated within two (2) years of the Town's final acceptance of the eligible Capital Facility for which the amendment is requested.
 7. Any Credit Agreement approved as part of a Development Agreement shall be amended in accordance with the terms of the Development Agreement and Section 7-11-130 of this Article.
- F. Issuance of Credits. Credits allocated pursuant to Subsection (D) of this Section may be issued and applied toward the Gross Impact Fees due from a development, subject to the following conditions:
1. Credits issued for an eligible Capital Facility may only be applied to the development impact fee due for the applicable Category of Necessary Public Services, and may not be applied to any fee due for another Category of Necessary Public Services.
 2. Credits shall only be issued when the eligible Capital Facility from which the Credits were derived has been accepted by the Town or when adequate security for the completion of the eligible Capital Facility has been provided in accordance with all terms of an executed Development Agreement.
 3. Where Credits have been issued pursuant to Subsection (2) of this Subsection, an impact fee due at the time a building permit is issued shall be reduced by the Credit amount stated in or calculated from the executed Credit Agreement. Where Credits have not yet been issued, the Gross Impact Fee shall be paid in full, and a refund of the Credit amount shall be due when the Developer

demonstrates compliance with Subsection (2) of this Subsection in a written request to the Town.

4. Credits, once issued, may not be rescinded or reallocated to another permit or parcel, except that Credits may be released for reuse on the same Subject Development if a building permit for which the Credits were issued has expired or been voided and is otherwise eligible for a refund under Section 7-11-150(A)(2)(a) of this Article.
5. Notwithstanding the other provisions of this Section 7-11-120, Credits issued prior to January 1, 2012 may only be used for the Subject Development for which they were issued. Such Credits may be transferred to a new owner of all or part of the Subject Development in proportion to the percentage of ownership in the Subject Development to be held by the new owner.

(Ord. No. 764, Enacted, 01/12/12)

7-11-130 Development Agreements.

Development Agreements containing provisions regarding development impact fees, development impact fee Credits, and/or disbursement of revenues from development impact fee accounts shall comply with the following:

- A. Development Agreement Required. A Development Agreement is required to authorize any of the following:
 1. To issue Credits prior to the Town's acceptance of an eligible Capital Facility.
 2. To allocate Credits to a parcel that is not contiguous with the Subject Development and that does not meet the requirements of Section 7-11-120(D)(7) of this Article.
 3. To reimburse the developer of an eligible Capital Facility using funds from development impact fee accounts.
 4. To allocate different Credit amounts per EDU to different parcels within a Subject Development.
 5. For a single family residential Dwelling Unit, to allow development impact fees to be paid at a later time than the issuance of a building permit as provided in this Section.
- B. General Requirements. All Development Agreements shall be prepared and executed in accordance with A.R.S. §9-500.05 and any applicable requirements of the Town Code. Except where specifically modified by this Section, all provisions of Section 7-11-120 of this Article shall apply to any Credit Agreement that is authorized as part of a Development Agreement.
- C. Early Credit Issuance. A Development Agreement may authorize the issuance of Credits

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prior to acceptance of an eligible Capital Facility by the Town when the Development Agreement specifically states the form and value of the security (i.e. bond, letter of Credit, etc.) to be provided to the Town prior to issuance of any Credits. The Town shall determine the acceptable form and value of the security to be provided.

- D. **Non-Contiguous Credit Allocation.** A Development Agreement may authorize the allocation of Credits to a non-contiguous parcel only if all of the following conditions are met:
1. The non-contiguous parcel is in the same Service Area as that served by the eligible Capital Facility.
 2. The non-contiguous parcel receives a Necessary Public Service from the eligible Capital Facility.
 3. The Development Agreement specifically states the value of the Credits to be allocated to each parcel and/or EDU, or establishes a mechanism for future determination of the Credit values.
- E. **Uneven Credit Allocation.** The Development Agreement must specify how Credits will be allocated amongst different parcels on a per-EDU basis, if the Credits are not to be allocated evenly. If the Development Agreement is silent on this topic, all Credits will be allocated evenly amongst all parcels on a per-EDU basis.
- F. **Use of Reimbursements.** Funds reimbursed to developers from impact fee accounts for construction of an eligible Capital Facility must be utilized in accordance with applicable law for the use of Town funds in construction or acquisition of Capital Facilities, including A.R.S. §34-201 et seq.
- G. **Deferral of Fees.** A Development Agreement may provide for the deferral of payment of development impact fees for a residential development beyond the issuance of a building permit; provided that a development impact fee may not be paid later than the fifteen (15) days after the issuance of the certificate of occupancy for that Dwelling Unit. The Development Agreement shall provide for the value of any deferred development impact fees to be supported by appropriate security, including a surety bond, letter of credit, or cash bond.
- H. **Waiver of Fees.** If the Town agrees to waive any development impact fees assessed on development in a Development Agreement, the Town shall reimburse the appropriate development impact fee account for the amount that was waived and shall provide notice of the waiver to the Advisory Committee within thirty (30) days.
- I. **No Obligation.** Nothing in this Section obligates the Town to enter into any Development Agreement or to authorize any type of Credit Agreement permitted by this Section.

(Ord. No. 764, Enacted, 01/12/12)

7-11-140 Appeals.

A development impact fee determination by Town staff may be appealed in accordance with the following procedures:

- A. Limited Scope. An appeal shall be limited to disputes regarding the calculation of the development impact fees for a specific development and/or permit and calculation of EDU's for the development.
- B. Form of Appeal. An appeal shall be initiated on such written form as the Town may prescribe, and submitted to the Director of the Community Development Department.
- C. Department Action. The Community Development Department Director shall act upon the appeal within thirty (30) calendar days of the filing of the appeal with the Community Development Department, and the Applicant shall be notified of the Director's decision in writing.
- D. Appeal to Town Manager. The Applicant may further appeal the decision of the Community Development Department Director to the Town Manager or authorized designee, who shall be in a more senior position than the Community Development Department Director, within fourteen (14) calendar days of the decision.
- E. Action by Manager. The Town Manager or authorized designee shall act upon the appeal within 14 calendar days of receipt of the appeal, and the Applicant shall be notified of the Town Manager or authorized designee's decision in writing.
- F. Final Decision. The Town Manager or authorized designee's decision regarding the appeal is final.
- G. Fees During Pendency. Building permits may be issued during the pendency of an appeal if the Applicant (1) pays the full impact fee calculated by the Town at the time the appeal is filed or (2) provides the Town with financial assurances in the form acceptable to the Town Manager or authorized designee equal to the full amount of the impact fee. Upon final disposition of an appeal, the fee shall be adjusted in accordance with the decision rendered, and a refund paid if warranted. If the appeal is denied by the Town Manager or authorized designee, and the Applicant has provided the Town with financial assurances as set forth in Subsection (2) above, the Applicant shall deliver the full amount of the impact fee to the Town within ten (10) days of the Town Manager or designee's final decision on the appeal. If the Applicant fails to deliver the full amount of the impact fees when required by this Subsection, the Town may draw upon such financial assurance instrument(s) as necessary to recover the full amount of the impact fees due from the Applicant.

(Ord. No. 764, Enacted, 01/12/12)

7-11-150 Refunds of Development Impact Fees.

- A. Refunds. A refund (or partial refund) will be paid to any current owner of property within the Town who submits a written request to the Town and demonstrates that:

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1. The permit(s) that triggered the collection of the development impact fee have expired or been voided prior to the commencement of the development for which the permits were issued and the development impact fees collected have not been expended, encumbered, or Pledged for the repayment of Financing or Debt; or
 2. The owner of the subject real property or its predecessor in interest paid a development impact fee for the applicable Capital Facility on or after August 1, 2014, and one (1) of the following conditions exists:
 - a. The Capital Facility designed to serve the subject real property has been constructed, has the capacity to serve the subject real property and any development for which there is reserved capacity, and the service which was to be provided by that Capital Facility has not been provided to the subject real property from that Capital Facility or from any other infrastructure.
 - b. After collecting the fee to construct a Capital Facility the Town fails to complete construction of the Capital Facility within the time period identified in the Infrastructure Improvements Plan, as it may be amended, and the corresponding service is otherwise unavailable to the subject real property from that Capital Facility or any other infrastructure.
 - c. For a Category of Necessary Public Services, any part of a development impact fee is not spent within ten (10) years of the Town's receipt of the development impact fee.
 - d. The development impact fee was calculated and collected for the construction cost to provide all or a portion of a specific Capital Facility serving the subject real property and the actual construction costs for the Capital Facility are less than the construction costs projected in the Infrastructure Improvements Plan by a factor of ten percent (10%) or more. In such event, the current owner of the subject real property shall, upon request as set forth in this Subsection (A), be entitled to a refund for the difference between the amounts of the development impact fee charged for and attributable to such construction cost and the amount the development impact fee would have been calculated to be if the actual construction cost had been included in the Fee Report. The refund contemplated by this Subsection shall relate only to the costs specific to the construction of the applicable Capital Facility and shall not include any related design, administrative, or other costs not directly incurred for construction of the Capital Facility that are included in the development impact fee as permitted by A.R.S. §9-463.05.
- B. Earned Interest. A refund of a development impact fee shall include any interest actually earned on the refunded portion of the development impact fee by the Town from the date of collection to the date of refund. All refunds shall be made to the record owner of the property at the time the refund is paid.

- C. Refund to Government. If a development impact fee was paid by a governmental entity, any refund shall be paid to that governmental entity.

(Ord. No. 764, Enacted, 01/12/12)

7-11-160 Oversight of Development Impact Fee Program.

- A. Annual Report. Within 90 days of the end of each fiscal year, the Town shall file with the Town Clerk an unaudited annual report accounting for the collection and use of the fees for each service area and shall post the report on its website in accordance with A.R.S. §9-463.05(N) and (O), as amended.
- B. Biennial Audit. In addition to the Annual Report described in Subsection A of this Section, the Town shall provide for a biennial, certified audit of the Town's Land Use Assumptions, Infrastructure Improvements Plan and development impact fees.
 - 1. An audit pursuant to this Subsection shall be conducted by one or more Qualified Professionals who are not employees or officials of the Town and who did not prepare the Infrastructure Improvements Plan.
 - 2. The audit shall review the collection and expenditures of development fees for each project in the plan and provide written comments describing the amount of development impact fees assessed, collected, and spent on capital facilities.
 - 3. The audit shall describe the Level of Service in each Service Area, and evaluate any inequities in implementing the Infrastructure Improvements Plan or imposing the development impact fee.
 - 4. The Town shall post the findings of the audit on the Town's website and shall conduct a public hearing on the audit within 60 days of the release of the audit to the public.
 - 5. For purposes of this Section a certified audit shall mean any audit authenticated by one or more of the Qualified Professionals conducting the audit pursuant to paragraph (1) of this Subsection.

(Ord. No. 764, Enacted, 01/12/12; Ord. No. 775, Amended 08/22/13)