

ORDINANCE NO. 1231

AN ORDINANCE OF THE MAYOR AND COMMON COUNCIL OF THE TOWN OF WICKENBURG, ARIZONA, AMENDING THE TOWN OF WICKENBURG CODE CHAPTER 8 BUILDING, ARTICLE 8-1 BUILDING CODE, BY REPEALING AND REPLACING SECTION 8-1-1 ADOPTION OF CODES; REPEALING SECTION 8-1-11 AMENDMENTS TO BUILDING CODE AND REPLACING IT WITH A NEW SECTION 8-1-11 AMENDMENT TO INTERNATIONAL BUILDING CODES; REPEALING SECTION 8-1-3 BOARD OF ADJUSTMENT AND REPLACING IT WITH A NEW SECTION 8-1-3 BOARD OF APPEALS; DECLARING THE “TOWN OF WICKENBURG INTERNATIONAL BUILDING CODES, FEBRUARY 21, 2023” A PUBLIC RECORD; ADOPTING THE “TOWN OF WICKENBURG INTERNATIONAL BUILDING CODES, FEBRUARY 21, 2023” BY REFERENCE; ALL RELATED TO THE ADOPTION OF UPDATED INTERNATIONAL BUILDING CODES INCLUDING THE INTERNATIONAL BUILDING CODE, 2018 EDITION, THE INTERNATIONAL RESIDENTIAL CODE FOR ONE- AND TWO-FAMILY DWELLINGS, 2018 EDITION, THE INTERNATIONAL MECHANICAL CODE, 2018 EDITION; THE INTERNATIONAL FIRE CODE, 2018 EDITION; THE INTERNATIONAL PLUMBING CODE, 2018 EDITION; THE INTERNATIONAL EXISTING BUILDING CODE, 2018 EDITION, THE NATIONAL ELECTRIC CODE, 2017 EDITION; THE INTERNATIONAL FUEL GAS CODE, 2018 EDITION; THE INTERNATIONAL PROPERTY MAINTENANCE CODE, 2018 EDITION; INTERNATIONAL ENERGY CONSERVATION CODE, 2006 EDITION; AND THE MARICOPA ASSOCIATION OF GOVERNMENTS (MAG) UNIFORM STANDARD SPECIFICATIONS AND DETAILS FOR PUBLIC WORKS CONSTRUCTION, 2018 EDITION; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR PENALTIES.

WHEREAS, the Mayor and Common Council of the Town of Wickenburg desire to amend the Town Code to adopt updated versions of the International Building Codes as published by the International Code Council and provide details for public works construction as established by the Maricopa Association of Governments;

WHEREAS, reasonable regulations relating to building, construction, and property maintenance are in the best interests of residents to protect public health and safety; and

WHEREAS, that certain document entitled “Town of Wickenburg International Building Regulations, February 21, 2023,” one paper copy and one electronic copy of which are on file in the office of the Town Clerk, is hereby declared a public record and said copies are hereby ordered to remain on file with the Town Clerk.

NOW THEREFORE, BE IT ORDAINED by the Mayor and Common Council of the Town of Wickenburg, Arizona as follows:

Section I. In General.

The Code of Wickenburg, Arizona, Chapter 8, Building, Article 8-1 Building Code, is hereby amended by repealing Section 8-1-1 Adoption of Codes in its entirety and adopting a new Section 8-1-1 Adoption of Codes, to read as follows (additions in ALL CAPS):

SECTION 8-1-1 ADOPTION OF CODES

THE TOWN OF WICKENBURG ADOPTS THE FOLLOWING DOCUMENTS, ONE PAPER COPY AND ONE ELECTRONIC COPY OF WHICH ARE ON FILE IN THE OFFICE OF THE TOWN CLERK, BEING MARKED AND IDENTIFIED AS PROVIDED IN THIS SECTION, AS CODES OF THE TOWN OF WICKENBURG FOR REGULATING AND GOVERNING THE CONDITIONS AND MAINTENANCE OF ALL PROPERTY, BUILDINGS, AND STRUCTURES; PROVIDING THE STANDARDS FOR SUPPLIED UTILITIES AND FACILITIES AND OTHER PHYSICAL THINGS AND CONDITIONS ESSENTIAL TO ENSURE THAT STRUCTURES ARE SAFE, SANITARY AND FIT FOR OCCUPATION AND USE; AND THE CONDEMNATION OF BUILDINGS AND STRUCTURES UNFIT FOR HUMAN OCCUPANCY AND USE AND THE DEMOLITION OF SUCH STRUCTURES; PROVIDING FOR THE ISSUANCE OF PERMITS AND COLLECTION OF FEES; AND EACH AND ALL OF THE REGULATIONS, PROVISIONS, PENALTIES, CONDITIONS AND TERMS OF THE CODES HEREBY REFERRED TO, ADOPTED, AND MADE A PART HEREOF, AS IF FULLY SET OUT IN THIS ORDINANCE, WITH THE ADDITIONS, INSERTIONS, DELETIONS AND CHANGES, IF ANY, PRESCRIBED IN SUBSECTION B BELOW.

1. THE INTERNATIONAL BUILDING CODE, 2018 EDITION, IS ADOPTED INCLUDING APPENDIX C GROUP U-AGRICULTURAL BUILDINGS AND APPENDIX I PATIO COVERS, AS PUBLISHED BY THE INTERNATIONAL CODE COUNCIL.

2. THE INTERNATIONAL RESIDENTIAL CODE FOR ONE-AND TWO-FAMILY DWELLINGS, 2018 EDITION, IS ADOPTED INCLUDING APPENDIX A SIZING AND CAPACITIES OF GAS PIPING; APPENDIX B SIZING OF VENTING SYSTEMS SERVING APPLIANCES EQUIPPED WITH DRAFT HOODS, CATEGORY I APPLIANCES AND APPLIANCES FOR USE WITH TYPE B VENTS; APPENDIX C EXIT TERMINALS OF MECHANICAL DRAFT AND DIRECT-VENT VENTING SYSTEMS; APPENDIX H PATIO COVERS; APPENDIX P SIZING OF WATER PIPING SYSTEM; APPENDIX Q TINY HOUSES; AND APPENDIX T SOLAR READY PROVISIONS- DETACHED ONE-AND TWO-FAMILY DWELLINGS AND TOWNHOUSES, AS PUBLISHED BY THE INTERNATIONAL CODE COUNCIL.

3. THE INTERNATIONAL MECHANICAL CODE, 2018 EDITION, IS ADOPTED AS PUBLISHED BY THE INTERNATIONAL CODE COUNCIL.

4. THE INTERNATIONAL FIRE CODE, 2018 EDITION, IS ADOPTED INCLUDING APPENDIX B FIRE-FLOW REQUIREMENTS FOR BUILDINGS, APPENDIX C FIRE HYDRANT LOCATIONS AND DISTRIBUTION, APPENDIX D FIRE APPARATUS ACCESS ROADS, APPENDIX E HAZARD CATEGORIES, APPENDIX F HAZARD RANKING, APPENDIX G CRYOGENIC FLUIDS, WEIGHT, AND VOLUME EQUIVALENTS, APPENDIX H HAZARDOUS MATERIALS MANAGEMENT PLAN (HMMP) AND HAZARDOUS MATERIALS INVENTORY STATEMENT (HMIS) INSTRUCTIONS, APPENDIX I FIRE PROTECTION SYSTEMS-NONCOMPLIANT CONDITIONS, APPENDIX J BUILDING INFORMATION SIGN AND APPENDIX L REQUIREMENTS FOR FIRE FIGHTER AIR REPLENISHMENT SYSTEMS, AS PUBLISHED BY THE INTERNATIONAL CODE COUNCIL.
5. THE INTERNATIONAL PLUMBING CODE, 2018 EDITION, IS ADOPTED INCLUDING APPENDIX E SIZING OF WATER PIPING SYSTEM, AS PUBLISHED BY THE INTERNATIONAL CODE COUNCIL.
6. THE INTERNATIONAL EXISTING BUILDING CODE, 2018 EDITION, IS ADOPTED AS PUBLISHED BY THE INTERNATIONAL CODE COUNCIL.
7. THE NATIONAL ELECTRIC CODE, 2017 EDITION, IS ADOPTED AS PUBLISHED BY THE INTERNATIONAL CODE COUNCIL.
8. THE INTERNATIONAL FUEL GAS CODE, 2018 EDITION, IS ADOPTED INCLUDING APPENDIX A SIZING AND CAPACITIES OF GAS PIPING AND APPENDIX B SIZING OF VENTING SYSTEMS SERVING APPLIANCES EQUIPPED WITH DRAFT HOODS, CATEGORY I APPLIANCES AND APPLIANCES LISTED FOR USE WITH TYPE B VENTS, AS PUBLISHED BY THE INTERNATIONAL CODE COUNCIL.
9. THE INTERNATIONAL PROPERTY MAINTENANCE CODE, 2012 EDITION, IS ADOPTED AS PUBLISHED BY THE INTERNATIONAL CODE COUNCIL.
10. THE INTERNATIONAL ENERGY CONSERVATION CODE, 2006 EDITION, IS ADOPTED AS PUBLISHED BY THE INTERNATIONAL CODE COUNCIL.
11. THE MARICOPA ASSOCIATION OF GOVERNMENTS (MAG) UNIFORM STANDARD SPECIFICATIONS AND DETAILS FOR PUBLIC WORKS CONSTRUCTION, 2018 EDITION, IS ADOPTED AS PUBLISHED BY MAG.

The Code of Wickenburg, Arizona, Chapter 8, Building, Article 8-1 Building Code, is hereby amended by repealing Section 8-1-11 Amendments to Building Code in its entirety and adopting a new Section 8-1-11 Amendment to International Building Codes, to read as set forth in

“Town of Wickenburg International Building Regulations, February 21, 2023,” which document is hereby adopted and incorporated by reference in this Ordinance.

The Code of Wickenburg, Arizona, Chapter 8, Building, Article 8-1 Building Code, is hereby amended by repealing Section 8-1-3 Board of Adjustment, in its entirety and adopting a new Section 8-1-3 Board of Appeals to read as follows (deletions in ~~strikethrough~~; additions in ALL CAPS):

SECTION 8-1-3 BOARD OF APPEALS

- A. APPEAL. ANY PERSON DIRECTLY AFFECTED BY A DECISION, NOTICE, OR ORDER ISSUED BY THE CODE OR BUILDING OFFICIAL, INCLUDING A NOTICE OF ASSESSMENT OR ASSESSMENT, OR A DETERMINATION AS TO THE SUITABILITY OF MATERIALS AND METHODS OF CONSTRUCTION, MAY APPEAL SUCH DECISION, NOTICE, OR ORDER PURSUANT TO THIS SECTION. THE TOWN COUNCIL SHALL APPOINT A BOARD OF APPEALS TO PRESIDE OVER ANY SUCH APPEAL. THE BOARD OF APPEALS SHALL NOT BE A REGULAR STANDING BODY OF COUNCIL BUT RATHER FORMED TO HEAR EACH SUCH APPEAL FILED. THE BOARD OF APPEALS SHALL CONSIST OF THREE OFFICERS WHO ARE QUALIFIED BY EXPERIENCE AND TRAINING TO EVALUATE MATTERS PERTAINING TO PROPERTY MAINTENANCE OR APPLICATION OF TECHNICAL CODES, AND WHO ARE NOT EMPLOYEES OF THE TOWN. THE TOWN COUNCIL HAS SOLE DISCRETION IN MAKING AN APPOINTMENT TO THE BOARD OF APPEALS AND JUDGING THE QUALIFICATIONS FOR SERVICE. THE RIGHT TO APPEAL UNDER THIS SUBSECTION SHALL NOT BE AVAILABLE TO CITATIONS, WHICH SHALL BE ADJUDICATED BY THE TOWN OF WICKENBURG MUNICIPAL COURT PURSUANT TO TOWN CODE AND STATE LAW REQUIREMENTS, INCLUDING ANY RIGHT OF APPEAL TO SUCH COURT DECISIONS AS MAY BE APPLICABLE BY LAW.
- B. PROCESS UPON APPEAL; WAIVER. A WRITTEN APPLICATION FOR APPEAL SHALL BE FILED WITH THE TOWN CLERK WITHIN 30 DAYS AFTER THE DAY THE DECISION, NOTICE, OR ORDER WAS SERVED. FAILURE TO TIMELY FILE AN APPEAL SHALL CONSTITUTE A WAIVER OF THE RIGHT TO A HEARING OF THE APPEAL AND SUCH PERSON SHALL BE STOPPED FROM DENYING THE VALIDITY OF ANY DECISION, NOTICE, OR ORDER WHICH COULD HAVE BEEN TIMELY APPEALED.
- C. GROUND FOR APPEAL. THE APPLICATION FOR APPEAL SHALL SET FORTH THE PERSON’S REASONS FOR BELIEVING THAT HE OR SHE IS NOT IN VIOLATION OF THE CODE; THAT THE PROVISIONS OF THIS CODE DO NOT FULLY APPLY; THAT THE RULES LEGALLY ADOPTED HAVE BEEN INCORRECTLY APPLIED; OR OTHER LEGAL ERROR IN THE DECISION, NOTICE, OR ORDER.

- D. PROCEDURE ON APPEAL. ANY PARTY MAY BE REPRESENTED BY AN ATTORNEY AND ANY PERSON WHOSE INTERESTS ARE AFFECTED SHALL BE GIVEN AN OPPORTUNITY TO BE HEARD AT THE HEARING. THE BOARD OF APPEALS SHALL CONDUCT THE HEARING, RULE ON ANY PROCEDURAL MATTERS AND OBJECTIONS, AND ISSUE A FINAL DECISION AFTER THE HEARING. THE FINAL DECISION SHALL CONTAIN FINDINGS AND CONCLUSIONS AND BE PROVIDED TO THE PARTIES WITHIN 30 DAYS OF THE HEARING.
- E. FEES. ALL APPEALS SHALL REQUIRE PAYMENT OF A FILING FEE AS ESTABLISHED BY THE TOWN COUNCIL OF THE TOWN OF WICKENBURG.

Section II. Repeal of Conflicting Ordinance.

All ordinances and parts of ordinances in conflict with the provisions of this ordinance or any part of the code adopted herein by reference are hereby repealed.

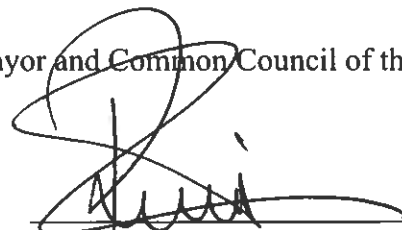
Section III. Providing for Severability.

If any section, subsection, sentence, clause, phrase or portion of this Ordinance or any part of the Code adopted herein by reference, is for any reason held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions thereof.

Section IV. Providing for Penalties.

Unless otherwise specified, any person found guilty of violating any provision of this Ordinance shall be guilty of a class one misdemeanor pursuant to Section 1-8 of the Town Code, and upon conviction thereof shall be punished by a fine not to exceed Two Thousand Five Hundred Dollars (\$2,500) or by imprisonment for a period not to exceed six (6) months, or both such fine and imprisonment. Each day that a violation continues shall be a separate offense punishable as herein described.

APPROVED, PASSED AND ADOPTED by the Mayor and Common Council of the Town of Wickenburg, Arizona, this 21st day of February 2023.



Rui Pereira, Mayor

ATTEST:



Amy Brown, Town Clerk

APPROVED AS TO FORM:



Trish Stuhan, Town Attorney
Pierce Coleman PLLC

Number of Councilmembers Present: 6

Number of Votes For: 6

Number of Votes Against: 0

Number of Abstentions: 0

CERTIFICATION

I HEREBY CERTIFY that the foregoing Ordinance Number 1231 was duly passed and adopted by the Mayor and Common Council of the Town of Wickenburg, Arizona, at a regular meeting held on the 21st day of February 2023, and that a quorum was present at the meeting.



Amy Brown, MMC
Town Clerk

**TOWN OF WICKENBURG INTERNATIONAL BUILDING CODES,
FEBRUARY 21, 2023**

The Code of Wickenburg, Arizona, Chapter 8, Building, Article 8-1 Building Code, is hereby amended by adopting a new Section 8-1-11 Amendment to International Building Codes, to read as set forth in this document.

Section 8-1-11 Amendments to International Building Codes

The International Buildings Codes shall be amended as provided in paragraphs 1 through 10 herein.

1. THE INTERNATIONAL BUILDING CODE, 2018 EDITION, IS AMENDED AS FOLLOWS (DELETIONS IN STRIKETHROUGH; ADDITIONS IN UNDERLINE):

Chapter 1. "Scope and Application", is hereby amended as follows:

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

Section 101.2 "Scope", is hereby amended as follows:

[A] 101.2 Scope. The provisions of this code shall apply to the construction, *alteration*, relocation, enlargement, replacement, *repair*, equipment, use of occupancy, location, maintenance, removal and demolition of every building or structure or any appurtenances connected or attached to such buildings or structures.

Exception: Detached one- and two-family dwellings and townhouses not more than three stories, above grade plane in height with a separate means of egress, and their accessory structures not more than three stories above grade plane in height, shall comply with this code or the International Residential Code, as applicable.

Exceptions. The provisions of this code shall not apply to:

1. Federal, state or county-owned projects (building and land), which are exempt from the required permits, inspections, and fees of Town of Wickenburg code.
2. Work primarily located within a public way such as streets, roads, sidewalks, bridges, drainage structures, streetlights and traffic control signs or equipment. Pedestrian tunnels or bridges which cross a public way are regulated by this code when they directly connect one or more buildings located outside of the public way.
3. Canals, dams, and hydraulic flood control structures constructed by or under contract with a governmental agency or jurisdiction.
4. Utility towers, poles, equipment, or systems under the exclusive control of an electric utility

and directly used to generate, transmit, transform, control, or distribute electrical energy to utility customers. Electrical installations in buildings used by the electric utility, such as office buildings, that are not an integral part of a generating plant, substation or control center, and electrical installations located on the premises of a utility customer, such as exterior lighting, service entrance equipment or customer-owned substation equipment, are regulated by this code.

5. Installation of communications equipment under the exclusive control of communications utilities and located outdoors or in a building space used exclusively for such installations. Communications wiring run inside a building is regulated by this code.
6. Piping and equipment owned and operated by a public service utility and directly used to produce, treat, distribute, or meter water to utility customers, or directly used to collect, treat or dispose of sewage or waste water from utility customers. Domestic plumbing systems within water or sewer utility plants are regulated by this code.

Section 101.3 “Intent”, is hereby amended as follows:

[A] 101.3 Intent. The purpose of this code is to establish the minimum requirements to provide a reasonable level of safety, public health and general welfare through structural strength, *means of egress* facilities, stability, sanitation, adequate light and ventilation, energy conservation, and safety to life and property from fire, explosion and other hazards, and to provide a reasonable level of safety to fire fighters and emergency responders during emergency operations.

The purpose of this Code is not to create or otherwise establish or designate any particular class or group of persons who will or should be especially protected or benefitted by the terms of this code. Although the Planning & Development Department Director (hereinafter referred to as the “Director”) or designee is directed to obtain substantial compliance with the provisions of this code, a guarantee that all buildings, structures, or utilities have been constructed in accordance with all provisions of the code is neither intended nor implied.

Section 101.4 “Referenced Codes”, is hereby amended as follows:

[A] 101.4 Referenced codes. The other codes listed in Sections 101.4.1 through 101.4.9 and referenced elsewhere in this code shall be considered part of the requirements of this code to the prescribed extent of each such reference.

Exception: Administrative requirements in the Town of Wickenburg Fire Code.

[A] 101.4.1 Gas. The provisions of the *International Fuel Gas Code*, as amended, shall apply to the installation of gas piping from the point of delivery, gas appliances and related accessories as covered in this code. These requirements apply to gas piping systems extending from the point of delivery to the inlet connections of appliances and the installation and operation of residential and commercial gas appliances and related accessories.

[A] **101.4.2 Mechanical.** The provisions of the *International Mechanical Code*, as amended, shall apply to the installation, *alterations, repair*, and replacement of mechanical systems, including equipment, appliances, fixtures, fittings and/or appurtenances, including ventilating, heating, cooling, air-conditioning and refrigeration systems, incinerators, and other energy-related systems.

[A] **101.4.3 Plumbing.** The provisions of the *International Plumbing Code*, as amended, shall apply to the installation, *alteration, repair*, and replacement of plumbing systems, including equipment, appliances, fixtures, fittings and appurtenances, and where connected to a water or sewage system and all aspects of a medical gas system. ~~The provisions of the *International Private Sewage Disposal Code* shall apply to private sewage disposal systems.~~

[A] **101.4.4 Property maintenance.** The provisions of the *International Property Maintenance Code*, as amended, shall apply to existing structures and premises; equipment and facilities; light, ventilation, space heating, sanitation, life and fire safety hazards; responsibilities of owners, operators and occupants; and occupancy of existing premises and structures.

[A] **101.4.5 Fire prevention.** The provisions of the *International Fire Code*, as amended, shall apply to matters affecting or relating to structures, processes and premises from the hazard of fire and explosion arising from the storage, handling or use of structures, materials or devices; from conditions hazardous to life, property or public welfare in the occupancy of structures or premises; and from the construction, extension, *repair, alteration* or removal of fire suppression, *automatic sprinkler systems* and alarm systems or fire hazards in the structure or on the premises from occupancy or operation.

[A] **101.4.6 Energy.** The provisions of the *International Energy Conservation Code*, as amended, shall apply to all matters governing the design and construction of buildings for energy efficiency.

[A] **101.4.7 Existing Buildings.** The provisions of the *International Existing Building Code*, as amended, shall apply to matters governing the *repair, alteration*, change of occupancy, *addition* to and relocation of existing buildings.

[A] **101.4.8 Electrical.** The provisions of the National Electrical Code, as amended, shall apply to the installation of electrical systems, including alterations, repairs, replacement, equipment, appliances, fixtures, fittings, and appurtenances thereto.

[A] **101.4.9 Residential.** The provisions of the International Residential Code, as amended, shall apply to detached one-and two-family dwellings and townhouses not more than three stories above grade plane in height with a separate means of egress, and their accessory structures not more than three stories above grade plane in height.

Section 104.10 “Modifications”, is hereby amended as follows:

[A] **Modifications.** Where there are practical difficulties involved in carrying out the provisions of this code, the *building official* shall have the authority to grant modifications for

individual cases, upon application of the *owner* or the owner's authorized agent, provided that the *building official* shall first find that special individual reason makes the strict letter of this code impractical, the modification is in compliance with the intent and purpose of this code and that such modification does not lessen health, *accessibility*, life and fire safety or structural requirements. The details of action granting modifications shall be recorded and entered in the files of the department of building safety.

Requests for modification of a code requirement shall be made in writing on a form provided by Community Development and shall be accompanied by a non-refundable fee as set forth by the Town Council. The applicant is responsible for providing all information, calculations or other data necessary to document or substantiate each request. The *building official* may approve, approve with stipulations, or deny the application based upon the substantiating data submitted and the *building official's* determination that the modification results in substantial compliance with the intent of this code. In deciding each case, the *building official* may consider or require alternate methods or systems to be used in compensation for the particular code provision to be modified.

Section 104.10.1 "Flood Hazard Areas" is amended to read as follows: Flood hazard areas is determined by Maricopa or Yavapai County Flood Control District regulations, as applicable.

Section 105.2 "Work exempt from permit", is hereby amended as follows:

[A] 105.2 Work exempt from permit. Exemptions from *permit* requirements of this code shall not be deemed to grant authorization for any work to be done in any manner in violation of the provisions of this code or any other codes, laws, or ordinances of this jurisdiction. *Permits* shall not be required for the following:

Building:

1. One-story detached accessory structures used as tool and storage sheds, ~~playhouses~~, and similar uses, provided the floor area is not greater than ~~1-20~~ 200 square feet (18.58 m²).
2. Fences not over ~~7 feet (2134 mm)~~ 6 feet high. Fences over 6' in height shall require a building permit demonstrating compliance with the Zoning Ordinance requirements and Town Code requirements for site drainage only.
3. Oil derricks.
4. Retaining walls that are not over 4 feet (1219mm) (48 inches) in height measured from the ~~bottom~~ top of the footing to the top of the wall, unless supporting a surcharge or impounding Class I, II or IIIA liquids.
5. Water tanks supported directly on grade if the capacity is not greater than 5,000 gallons (18 925 L) and the ration of the height to diameter or width is not greater than 2:1.
6. Platforms, sidewalks, and driveways not more than 30 inches (762 mm) above adjacent grade, and not over any basement or *story* below and are not part of an *accessible route*.
7. Painting, papering, tilling, carpeting, cabinets, counter tops, and similar finish work.
8. Temporary motion picture, television, and theater stage sets, not including additional bleachers and grandstands.

9. Prefabricated *swimming pools* accessory to a Group R-3 occupancy that are not greater than 5,000 gallons (18 925 L) and are installed entirely above ground. Barriers shall be installed in accordance with A.R.S. § 36-1681. A permit is required for pool barriers.
10. Shade cloth structures constructed for nursery or agricultural purposes, not including service systems.
11. Swings and other playground equipment accessory to detached one- and two-family *dwelling*s.
12. Window awnings in Group R-3 and U occupancies, supported by an exterior wall that does not project more than 54 inches (1372 mm) from the exterior wall and does not require additional support.
13. Nonfixed and moveable fixtures, cases, racks, counters, and partitions not over 5 feet 9 inches (1753 mm) in height.
14. Re-roofing with the same type of material as the original roofing and provided not more than two layers of asphalt shingles are applied over an existing asphalt shingle roof.
15. Installation of a nonstructural weatherproof exterior covering over an existing weatherproof covering on an existing structure so long as the new covering will not affect the fire-resistive classification of the existing.

Exception: Installation of an Exterior Insulation and Finish System (EIFS).

Section 105.6 “Suspension or revocation”, is hereby amended as follows:

[A] 105.6 Suspension or revocation. The *building official* is authorized to suspend or revoke a *permit* issued under the provisions of this code wherever the *permit* is issued in error or on the basis of incorrect, inaccurate or incomplete information; or in violation of any ordinance or regulation or any of the provisions of this code; or reasonable and continuous progress has not been made to complete the construction; or the continuance of any work becomes dangerous to life or property.

It shall be unlawful to proceed with any work for which a permit was issued after notice of permit suspension or revocation is served on the permit holder, the owner or the person having responsible charge of the work. Reinstatement of a suspended permit shall be by written notice from the building official authorizing work to resume, with or without conditions. Revoked permits shall be cancelled, and the permit fee shall not be refunded except as may be provided in Section 109.6 of this code.

Section 105.7 “Placement of permit”, is hereby amended as follows:

Section 105.7 Placement of permit. The building *permit* or copy shall be kept on the site of the work until completion of the project. The permit holder shall post a visible sign which identifies the permit number, street address and lot number or suite number where construction work is authorized until completion of the project. Other forms of identification may be used when approved by the building official.

Section 107 “Submittal Documents”, is hereby amended as follows:

Section 107 SUBMITTAL DOCUMENTS

107.1 General. Submittal documents consisting of *construction documents*, statement of *special inspections*, geotechnical report and other data shall be submitted in two or more sets with each permit application. The *construction documents* shall be prepared by a *registered design professional* as required by the State of Arizona Board of Technical Registration. Where special conditions exist, the *building official* is authorized to require additional *construction documents* to be prepared by a *registered design professional* licensed by the state of Arizona.

Section 107.4 “Amended construction documents”, is hereby amended as follows:

[A] 107.4 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*. Amended sets of construction documents shall be subject to fees adopted by Resolution of the Town Council of the Town of Wickenburg.

Section 109 “Fees” shall be deleted in its entirety and replaced with: “The fees for activities and services performed under this Code shall be adopted by Resolution of the Town Council of the Town of Wickenburg.”

Section 111 “Certificate of Occupancy”, is hereby amended as follows:

SECTION 111 CERTIFICATE OF OCCUPANCY

[A] 111.1 Use and occupancy. A building or structure shall not be used or occupied, and a change of the occupancy classification of a building or structure or portion thereof shall not 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 code or other ordinances of the Town of Wickenburg.

Exceptions:

1. Certificates of occupancy are not required for work exempt from *permits* under Section 105.2.
2. Certificates of occupancy are not required for one and two family residences. Only final inspection approval and a utility clearance is required prior to occupancy.

[A] 111.5 Certificate of occupancy only. Application may be made for the building official to consider issuing a certificate of occupancy only for a change in use or for new use of an existing building when no construction permit has been issued. Application for such a certificate shall be on a form provided by the Community Development Department and shall include payment of a nonrefundable application and inspection fee. This fee shall be in addition to any plan review fee or subsequent permit fee that may be required by Section 109 of this Code.

Section 113 “Board of Appeals”, is hereby amended by deleting the section in its entirety and replacing it with: “Appeals shall be conducted pursuant to Section 8-1-3 of the Town Code.”

Section 116 “Unsafe Structures and Equipment” is hereby amended as follows:

SECTION 116 UNSAFE STRUCTURES AND EQUIPMENT

[A] 116.1 Conditions. Structures or existing equipment that are or hereafter become unsafe, insanitary, or deficient because of inadequate *means of egress* facilities, inadequate light and ventilation, or which constitute a fire hazard, or shock hazard or are otherwise dangerous to human life or the public welfare, or that involve illegal or improper occupancy or inadequate maintenance, shall be deemed an unsafe condition. Unsafe structures shall be taken down and removed or made safe, as the *building official* deems necessary and as provided for in this section. A vacant structure that is not secured against entry shall be deemed unsafe.

In addition to the provisions of this Code, all buildings, structures, and property shall be maintained in compliance with the provisions of the International Property Maintenance Code and all unsafe buildings or structures shall be subject to the abatement and enforcement provisions of that code.

[A] 116.2 Definitions. Reeord Unsafe structures and equipment shall be classified as being an Unsafe or Imminent Unsafe condition.

~~The building official shall cause a report to be filed on an unsafe condition. The report shall state the occupancy of the structure and the nature of the unsafe condition.~~

UNSAFE CONDITION is a hazard that has the potential to cause harm or damage to life, health or property if not corrected. Sections 116.3, 116.4, and 116.5 include but are not limited to unsafe conditions.

IMMINENT UNSAFE CONDITION is an unsafe condition that is a high, real, and immediate risk to life, health, or property. Sections 116.3 and 116.4 include but are not limited to imminent unsafe conditions.

[A] 116.3 Notice Unsafe buildings or structures.

~~If an unsafe condition is found, the building official shall serve on the owner, agent or person in control of the structure, a written notice that describes the condition deemed unsafe and specifies the required repairs or improvements to be made to abate the unsafe condition, or that requires the unsafe structure to be demolished within a stipulated time. Such notice shall require the person thus notified to declare immediately to the building official acceptance or rejection of the terms of~~

the order.

Conditions or defects that render a building or structure unsafe include, but are not limited to:

1. Where the stress in any materials, member or portion thereof, due to all dead and live loads, is more than one and one-half times the working stress or stresses allowed in this code for new buildings of similar structure, purpose or location.
2. Where any portion thereof has been damaged by fire, earthquake, wind, flood or any other cause to such an extent that the structural strength or stability thereof is materially less than it was before such catastrophe and is less than the minimum requirements of this Code for new buildings of similar structure, purpose or location.
3. Where any portion thereof has wracked, warped, buckled or settled to such an extent that walls or other structural portions have materially less resistance to winds or earthquake than is required in the case of similar new construction.
4. Where the exterior walls or other vertical structural members list, lean or buckle to such an extent that a plumb line passing through the center of gravity does not fall inside the middle of one-third of the base.
5. Where any building or structure which, whether or not erected in accordance with all applicable laws and ordinances or not, has any non-supporting part, member or portion less than 50 percent, or in any supporting part, member or portion less than 66 percent, of the strength or fire-resisting qualities required by law in the case of a newly constructed building of like area, height and occupancy in the same location.

Imminent unsafe conditions:

1. Where any door, aisle, passageway, stairway or other means of egress is locked, blocked or constricted so as to prevent safe and adequate means of egress in case of fire or panic.
2. Where any portion of a building, or any member, appurtenance, or ornamentation on the exterior thereof, is not of sufficient strength or stability or is not so anchored, attached or fastened in place so as to be capable of resisting a wind pressure of one-half of that specified in this code for new buildings of similar structure, purpose or location without exceeding the working stresses permitted for such buildings.
3. Where the building or structure, or any portion thereof, is likely to collapse because of dilapidation, deterioration, or decay partially or completely; faulty construction; the removal, movement, or instability of any portion of the ground necessary for the purpose of supporting such building; the deterioration, decay or inadequacy of its foundation; or any other cause.

4. Where, for any reason, the building or structure, or any portion thereof, is manifestly unsafe for the purpose for which it is being used.

5. Where the building or structure, exclusive of the foundation, shows 33 percent or more damage or deterioration of its supporting member or members, or 50 percent damage or deterioration of its non-supporting members, enclosing our outside walls or coverings.

6. Where the building or structure has been so damaged by fire, wind, earthquake or flood, or has become so dilapidated or deteriorated as to become an attractive nuisance to children or a harbor for vagrants, criminals or immoral persons.

7. Where any swimming pool is not enclosed with all barriers required by this Code.

116.4 ~~Method of service~~ Unsafe building service equipment.

~~Such notice shall be deemed properly served if a copy thereof is: Delivered to the owner personally; sent by certified or registered mail addressed to the owner at the last known address with the return receipt requested; or delivered in any other manner as prescribed by local law. If the certified or registered letter is returned showing that the letter was not delivered, a copy thereof shall be posted in a conspicuous place in or about the structure affected by such notice. Service of such notice in the foregoing manner on the owner's agent or on the person responsible for the structure shall constitute service of notice on the owner.~~ Unsafe building service equipment is equipment which constitutes a fire hazard or hazard to life, health, property, or the public welfare by reason of use, construction, quality of materials or inadequate maintenance or dilapidation. Conditions or defects that render equipment unsafe include, but are not limited to:

116.4.1 Gas-fired, oil-fired or solid-fuel-fired appliance, devices or apparatus which have any of the following defects:

1. Defective heat exchangers.
2. Defective or improperly installed and adjusted controls and appurtenances
3. Equipment locations which will constitute a fire or explosion hazard.
4. Defective or improperly installed equipment.

Imminent unsafe conditions:

1. Defective or deteriorated vents, venting or flues which permit leakage of flue gases through the flue walls.
2. Defective or leaking fuel supply lines.

3. Insufficient fresh air supply for combustion of fuel and vent operation.
4. Heating appliances which are not property vented.
5. Excessive exhaust in boiler, furnace rooms or areas where gas, liquid or solid fuel fired equipment is located.

116.4.2 Electrical systems, appliances, devices or apparatus which have any of the following defects:

1. Loose or poor electrical connections creating a fire or shock hazard.
2. Equipment or circuits not properly grounded and bonded.
3. Misuse of flexible cords and cables.
4. Wiring method or equipment not properly supported.
5. Improperly installed or not suitable for the intended use and location.

Imminent unsafe conditions:

1. Uninsulated or exposed live parts and a fire or shock hazard exists.
2. Overloaded branch circuits, feeders or service equipment.
3. Equipment or conductors not properly protected from overload, short circuit or ground fault.
4. Equipment short-circuit, interrupting or withstand ratings insufficient for the available fault current at the line terminals of the equipment.
5. Inadequate maintenance, dilapidation, damage, obsolescence or abandonment.

116.4.3 Boilers or pressure vessels which have any of the following conditions:

1. Excessive scaling or corrosion, or cracks in seams, tubes or shells.
2. Defective or improperly installed operational controls, burners or other appurtenances.
3. Hazardous operation or location of equipment.
4. Unacceptable means for blowdown where required.

5. Insufficient fresh air supply for complete combustion of fuel and vent operation.
6. A boiler or pressure vessel operated above its allowable pressure or temperature.

Imminent unsafe conditions:

1. Defective or improperly installed safety valves, or safety valves of improper setting, capacity or acceptable means of discharge.
2. Defective or improperly installed vent system for products of combustion.
3. Insufficient fresh air supply for complete combustion of fuel and vent operation.

116.4.4 Refrigeration equipment which has any of the following defects:

1. Inadequate ventilation of machinery rooms.
2. Inadequate sizing, setting capacity or venting of pressure-relief valves.
3. Hazardous location or operation of equipment.
4. Defective or improperly installed safety controls.
5. Refrigerants of a type or quantity which is prohibited for conditions under which it is used.

Imminent unsafe conditions:

1. Systems using ammonia as a refrigerant where inadequate provisions have been made for disposal as required elsewhere in this Code.

116.4.5 Plumbing systems which have any of the following defects:

1. Drainage systems which are clogged, fouled or depositing solids.
2. No trap seal is provided or the seal is inadequate.
3. Lack of sewer venting or venting into an enclosed building or structure.
4. Leaking water, sewage, or sewer gas inside or outside a building.
5. Open or abandoned cesspools or septic tanks.

Imminent unsafe conditions:

1. Where the water does not meet the standards for potability as required by the Maricopa County Environmental Services Department.
2. The existence of cross connection, backflow or back siphonage, which creates health hazards or pollution.
3. Lack of running water to operate plumbing fixtures required for the use or occupancy of the premises.

116.5 Restoration Unsafe excavations.

~~Where the structure or equipment determined to be unsafe by the building official is restored to a safe condition, to the extent that repairs, alterations or additions are made or a change of occupancy occurs during the restoration of the structure, such repairs, alterations, additions and change of occupancy shall comply with the requirements of the International Existing Building Code.~~

An unsafe excavation is any abandoned swimming pool or any active or abandoned mining shaft, test hole, well, pit, trench or other excavation which is more than 4 inches (102 mm) in any lateral dimension and more than 3 feet (914 mm) in depth, whenever such excavation is not covered, fenced or otherwise enclosed such that the general public is exposed to an imminent hazard. This does not apply to active sand or gravel mines being operated in compliance with City and State laws.

116.6 Restoration Notice of violation.

Notices of violation shall describe the unsafe conditions and declare any unsafe conditions that are determined to be an imminent unsafe condition. A specified time must be stated on the notice by which the unsafe / imminent unsafe conditions must be abated by. A building permit must also be obtained to request an inspection to verify the unsafe imminent conditions has been abated.

The person or persons occupying or having control of any unsafe building, structure or building service equipment who knows or should have known an unsafe condition exists shall take immediate steps to vacate the building or structure or to otherwise safeguard the health and safety of the public including all building occupants, and shall notify the appropriate agency or agencies of the situation as follows:

1. The fire department shall be notified immediately of all personal injuries, fires, explosions or hazardous materials incidents.
2. The Water Services Department shall be notified immediately of all backflow, back siphonage or cross-connection incidents according to City procedures.
3. The gas utility shall be notified immediately of any unsafe conditions relating to gas piping or gas-fired building service equipment.

4. The electric utility shall be notified immediately of any shock injuries, fire or explosion relating to any electrical building service equipment.

5. In addition to the above notifications, the building official shall be notified within four hours of the occurrence of any structural failure or of any unsafe condition.

6. In addition to the above notifications, the building official shall be notified within 72 hours of the occurrence of any fire that caused structural damage or damage to required building service equipment, any plumbing cross-connection, or any other unsafe condition relating to building service equipment.

116.7 Authority for inspection and evaluation.

The building official shall follow the procedures for right of entry noted in Section 104.6. When the building official has reason to suspect that an unsafe condition exists, the building official is authorized to immediately issue abatement orders in accordance with Section 116.8 of these administrative provisions, or the building official may require the property owner to obtain a detailed engineering evaluation of the suspected unsafe condition before the building official determines the extent of abatement required.

1. When so ordered by the building official, the owner of any building or property suspected of containing an unsafe condition shall engage the services of a design professional registered in Arizona to conduct a detailed investigation and analysis of the suspected unsafe condition. The cost of such an investigation and report shall be paid by the property owner.

2. The registered design professional retained by the owner shall conduct a detailed investigation and evaluation of the suspected unsafe condition and shall issue a written report to the property owner and to the building official on the condition of the building, structure, or building service equipment, including recommendations for steps necessary to abate any unsafe condition found. The report shall be delivered to the building official on or before the date specified in the building official order requiring such report.

3. The content, findings and recommendations contained in the owner's engineering report may be utilized by the building official to determine whether or not an unsafe condition exists, whether it creates an imminent unsafe condition and what, if any, abatement orders shall be issued.

4. Failure of a property owner to produce an engineering report on or before the date specified in the building official order shall be grounds for the building official to proceed with abatement proceedings up to and including orders to immediately vacate or demolish the subject building or structure.

116.8 Abatement of unsafe buildings, structures or building service equipment.

The building official shall, after inspection, determine whether a building, structure or building service equipment is an unsafe condition and, if so, whether it constitutes an imminent unsafe

condition, as defined in Section 116.2 of these administrative provisions.

116.8.1 Unsafe conditions.

If a building, a structure or any building service equipment is determined to be in an unsafe condition, the building official shall issue a written notice to the property owner or occupant of the premises describing the unsafe condition and order its repair or abatement within a specified time. The time allowed for repair or abatement shall be not less than that posted on the Notice of Violation starting from the date of the notice. Failure to repair or abate the unsafe condition within the time specified shall constitute grounds for the building official to initiate formal abatement procedures.

116.8.2 Imminent unsafe conditions.

If a building, structure, or any building service equipment is determined to be in an imminent unsafe condition, the building official shall serve a written notice of violation on the person or persons occupying or having control of the building, structure or building service equipment and on the person or persons having recorded interest in the property. The notice of violation shall declare the imminent unsafe condition to be a nuisance and shall order its immediate abatement in accordance with the provisions of this section.

1. Notice of violation.

Notices of violation declaring imminent unsafe conditions shall be served by personal service or by certified mail return receipt requested. Service shall be deemed complete upon delivery.

The notice of violation shall identify the address and legal description of the property in question and shall state the nature and extent of the imminent unsafe condition in such detail as to allow the property owner to identify and abate the imminent unsafe condition. The notice shall provide the name and phone number of a Town representative to contact concerning the imminent unsafe condition and acceptable methods of abatement. The notice shall state the Town's authority to abate the violation if the owner fails to do so and the Town's ability to assess the costs of such abatement against the property. The notice shall state the procedures to follow should the owner wish to appeal the decision of the building official.

Nothing shall preclude the building official from giving additional oral or written information notices. Nothing herein shall require the issuance of a notice of violation prior to commencement of emergency abatement or civil or criminal violation proceedings, pursuant to law.

2. Unsafe buildings or structures.

In the case of an unsafe building or structure containing imminent unsafe conditions, the building official shall order the abatement by repair or by

demolition of the building or structure. The unsafe building or structure and any buildings or structures placed in jeopardy by the unsafe buildings or structures shall be posted in accordance with this Code. The buildings or structures shall not be occupied or reoccupied until determined safe by the Building official.

3. Unsafe building service equipment.

In the case of an unsafe building service equipment installation containing imminent unsafe conditions, the building official shall attach or affix a warning red tag to the equipment declared to be unsafe. Where equipment is declared to be in an imminent unsafe condition, the building official shall order such equipment disconnected or its use discontinued until the condition is abated per Code. In addition, the building official may order any building or structure which is placed in jeopardy by the unsafe equipment to be vacated, or the building official may order the disconnection of the affected utility service to the building, structure or equipment, and these buildings or structures shall not be occupied, reoccupied, or building service equipment reconnected until determined safe by the building official.

4. Posting of signs.

When necessary to protect life, health or public welfare, the building official shall post signs which shall prohibit entry into an unsafe building or structure provided, however, that with permission of the building official it shall be lawful to enter the building for the purposes of removing personal property. It shall be unlawful to remove any such posted sign without permission from the building official.

5. Emergency barricades.

If any building or structure is a hazard to life or limb to persons using a public street, alley or sidewalk, the public way shall be barricaded to prevent public use. The necessary barricades shall be erected on order from the building official. The costs for barricading of a public way under this section shall be assessed to and paid by the owner of the unsafe building or structure causing the need for such barricades.

6. Emergency abatement.

In the event an emergency should occur wherein the continued existence of a building, structure or building service equipment would constitute an imminent unsafe condition to life, health or other property, the building official may cause such building or structure to be demolished, building service equipment removed or disconnected, swimming pool fenced or pumped dry or a cesspool or tank filled at once, all without notice. Such abatement shall be limited to the minimum work necessary to remove the imminent unsafe condition.

7. Abatement by the Town.

If the owner of any unsafe building, structure or building service equipment fails to abate an imminent unsafe condition within the time specified in the Notice of Violation, the Town may abate any such imminent unsafe condition by repair, removal, or demolition in accordance with the provisions of The International Property Maintenance Code. The costs of any Town abatement, including emergency abatement or temporary repairs, shall be paid by the property owner as set forth by Town Council.

8. Court-ordered abatement.

In addition to any other abatement procedures provided in this Code, the building official may apply to the Municipal Court of the Town of Wickenburg or any other applicable court of general jurisdiction for an order allowing the Town to abate any unsafe condition in accordance with the provisions of the Wickenburg Town Code.

116.8.3 Appeals.

Decisions, orders and notices of violation relating to unsafe buildings, structures or building service equipment may be appealed in accordance with Section 113 of this Code, except that any emergency abatement may be conducted in accordance with the Wickenburg Town Code and State law, as amended.

Chapter 2, "Definitions", Section 202, is hereby amended as follows:

SECTION 202 DEFINITIONS

COMMON AREA. For the purposes of ADA compliance for visual notification, a common area shall be a room, space, or element made available for the use of a restricted group of people (for example, occupants of a homeless shelter, the occupants of an office building, or the guests of such occupants). Common areas shall include restrooms, hallways, lobbies, meeting and conference rooms, classrooms, cafeterias, filing and photocopy rooms, employee break rooms, open office areas exceeding 300 square feet, examination and treatment rooms, and similar areas that are not used solely as employee work areas in accordance with the U.S. Access Board technical Bulletin on Visual Alarms. Mechanical, electrical and telephone closets, janitor's closets, and similar non-occupiable spaces that are not common areas or assigned work areas are not required to have visual alarms.

Chapter 3, "Occupancy Classification and Use", is hereby amended as follows:

SECTION 308 INSTITUTIONAL GROUP I

308.2 Institutional Group I-1. Institutional Group I-1 occupancy shall include buildings, structures, or portions thereof for more than 10 persons, excluding staff, who reside on a 24-hour basis in a supervised environment and receive custodial care. Buildings of Group I-1 shall be classified as one of the occupancy conditions specified in Section 308.2.1 or 308.2.2. This group shall include, but not be limited to, the following:

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

308.2.3 Six to 10 persons receiving custodial care. A facility housing not fewer than six and not more than 10 persons receiving custodial care shall be classified as Group R- 4.

308.2.4 Five or fewer persons receiving custodial care. A facility with five or fewer persons receiving custodial care shall be classified as Group R-3 or shall comply with the *International Residential Code*.

310.5 Residential Group R-4. Residential Group R-4 occupancy shall include buildings, structures, or portions thereof for more than 5 but not more than 10 persons, excluding staff, who reside on a 24-hour basis in a supervised residential environment and receive *custodial care*. Buildings of Group R-4 shall be classified as one of the occupancy conditions specified in Section 310.5.1 or 310.5.2. The persons receiving care are capable of self-preservation. This group shall include, but not be limited to, the following:

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

Group R-4 occupancies shall meet the requirements for construction as defined for Group R-3 or shall comply with the *International Residential Code*, except as otherwise provided for in this code.

Chapter 12, "Interior Environment", is hereby amended as follows:

SECTION 1203 TEMPERATURE CONTROL

1203.1 Equipment and systems. Habitable spaces shall be provided with active or passive space-heating and space-cooling systems capable of maintaining a minimum indoor temperature between 70°F (21°C) and 90°F (32°C) at a point 3 feet (914 mm) above the floor. The installation of portable space heaters or coolers shall not be used to achieve compliance with this section.

Section 1206, "Sound Transmission" is hereby amended as follows:

1206.4 Sound attenuation. All residential buildings or portions of buildings where the public is received, office areas and where normal noise level is low for first occupancy, including libraries, schools, and churches, pursuant to building permits issued after the effective date of this ordinance in order to achieve a maximum interior noise level of forty-five (45) decibels in areas within the noise contours described in A.R.S. section 28-846, as applicable.

Chapter 16, "Structural Design", is hereby amended as follows:

SECTION 1607 LIVE LOADS, Table 1607.1, item number 25 is amended as follows:

OCCUPANCY OR USE	Uniform (psf)
<u>25. Residential</u>	<u>40</u>
<u>Habitable attics and sleeping areas</u>	

Delete Section 1612.3, Establishment of flood hazard areas and replace with:

"Flood hazard areas as determined by Maricopa or Yavapai County Flood Control District, as applicable."

SECTION 1705 REQUIRED SPECIAL INSPECTIONS AND TESTS is amended as follows:

1705.4 Masonry construction. Add two (2) new exceptions to read as follows:

4. Masonry fences seven feet or less in height above grade.
5. Masonry retaining walls four feet or less in height from ~~top~~ bottom of footing to top of wall unless supporting a surcharge or impounding flammable liquids.

Add the following new section **1705.19 Special Electrical Inspections** to read as follows:

1705.19 Special Electrical Inspections. The types of equipment or installations noted below shall be tested or inspected by a special inspector.

1. Ground-fault protection performance tests for equipment provided with ground- fault protection.
2. Switchboards, panelboards, motor control centers and other equipment rated at 1,000 amperes or more, or over 600 volts.
3. Transformers rated 100 kVA or more, single phase, or 300 kVA or more, three phase.
4. Conductors that supply equipment rated at 1,000 amperes or more, or over 600 volts.

5. Emergency and standby power systems, including switchboards, panelboards, distribution boards, transfer equipment, power source, conductors, fire pumps and exhaust and ventilation fans. This also includes verification of the installation in accordance with the required selective coordination study.
6. Selective Coordination - This includes verification of the installation in accordance with the required selective coordination study.
7. Special cases – Work which, in the opinion of the building official, involves unusual hazards or conditions.

Exception: The building official may waive the requirement for the employment of a special inspector if the construction is of a minor nature.

Add the following new section **1705.20 Mechanical Special Inspections** to read as follows:

1705.20 Mechanical Special Inspections. The types of equipment or installations noted below shall be tested or inspected by a special inspector in accordance with regulations established by the building official:

1. Duct smoke detectors for air distribution systems as required by *International Mechanical Code* section 606.5.
2. Fire, fire/smoke, radiation, and smoke damper operation for dampers required by *International Mechanical Code* section 607.2.
3. Installation of grease duct enclosure alternative systems allowed under the exceptions to the *International Mechanical Code* section 506.3.11.
4. Special cases—Work which, in the opinion of the building official, involves unusual hazards or conditions.
5. Test and balance report for air balance of ventilation systems installed in ambulatory care and I-2 occupancies designed and installed in accordance with ASHRE 170 as required by the *International Mechanical Code* section 407.1.

Exception: The building official may waive the requirement for the employment of a special inspector if the construction is of a minor nature.

Add the following new section **1705.21 Plumbing Special Inspections** to read as follows:

1705.21 Plumbing Special Inspections. The types of equipment or installations noted

below shall be tested or inspected by a special inspector:

1. Medical Gas and Vacuum Systems as required by *International Plumbing Code* section 1202.
2. Special cases - Work which, in the opinion of the building official, involves unusual hazards or conditions.

Exception: The building official may waive the requirement for the employment of a special inspector if the construction is of a minor nature.

Section 1803 GEOTECHNICAL INVESTIGATIONS is hereby amended by adding new subsection:

1803.5.13 Post-tensioned slabs on ground. A geotechnical investigation is required for the design of all post-tensioned slabs on ground. The investigation report shall include all soil parameters as outlined in PTI DC-10.5. Information required on the drawings includes, but is not limited to, slab type, soil parameters, bearing value and depth, coefficient of subgrade friction, soil subgrade modulus, e_m and y_m for expansive soils and all special inspection requirements.

Table 1806.2 Presumptive Load - Bearing Values is hereby amended to read as follows:

TABLE 1806.2 PRESUMPTIVE LOAD-BEARING VALUES

4. <u>Sand, silty sand, clayey sand, silty gravel and clayey gravel (SW, SP, SMC, SCC, GM, and GC)</u>	<u>2,000</u> <u>1,500</u>
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Section 1907 MINIMUM SLAB PROVISIONS is amended by adding new subsection:

1907.2 Post-tensioned slabs on ground. All post-tensioned slabs on ground shall be stamped, marked, or otherwise identified in a conspicuous location indicating the slab is a post-tensioned slab. Conspicuous locations include, but are not limited to, entrance porches, slabs at garage doors, patio slabs, metal tag attached to water service hose bibb.

Chapter 29, "Plumbing Systems", is hereby amended to read as follows:

Section 2902, "Minimum Plumbing Facilities" is amended as follows:

[P] 2902.2 Separate facilities.

Where plumbing fixtures are required, separate facilities shall be provided for each sex.

Exceptions:

1. Separate facilities shall not be required for *dwelling units* and *sleeping units*.
2. Separate facilities shall not be required in structures or tenant spaces with a total *occupant load*, including both employees and customers, of 15 or fewer.
3. Separate facilities shall not be required in mercantile occupancies in which the maximum occupant load is 100 or fewer.
4. Separate facilities shall not be required in business occupancies in which the maximum occupant load is ~~25~~ 50 or fewer.

[P] 2902.6 Small occupancies.

Drinking fountains shall not be required for an occupant load of ~~45~~ 50 or fewer.

Chapter 31, “Special Construction”, is hereby amended to read as follows:

Amend Section 3105 as follows:

SECTION 3105 AWNINGS, CANOPIES, AND SHADE STRUCTURES

3105.1 General. Awnings, shade structures ~~or~~ and canopies shall comply with the requirements of this section and other applicable sections of this Code. All provisions of this Code shall apply to nonresidential shade structures except as specifically modified by this section. The intent of this section is to provide less restrictive construction standards than this Code would otherwise require, provided all of the special design and construction requirements of these sections are met.

3105.2 1.5 Definitions.

For the purposes of this section and as used elsewhere in this Code, the following shall have the meanings shown herein.

INDUSTRIAL SHADE CANOPY. An industrial shade canopy is an awning, canopy or roof structure which provides solar protection for outdoor Group F or Group S factory, industrial or storage uses or equipment. Industrial shade canopies shall be classified as to Occupancy Group in accordance with Chapter 3 of this Code.

MERCANTILE SHADE CANOPY. A mercantile shade canopy is an awning, canopy or roof structure which provides solar protection for the outdoor storage, display or sale of merchandise as part of a Group M occupancy and includes the following:

1. A roof structure with not less than 50 percent of its perimeter wall area unenclosed; or
2. A slatted, lattice or louvered roof structure with not less than 25 percent of the roof area open to the sky; or
3. An open structural framework covered with shade cloth fabric as specified in Section 3105.4.

Mercantile shade canopies shall not apply to motor fuel dispensing facilities.

NON-RESIDENTIAL PATIO COVER. A non-residential patio cover is an awning, canopy or roof structure which provides solar protection for outdoor seating, dining, walkway or pedestrian entry areas accessory to a building of any occupancy and includes the following:

1. A roof structure with not less than 50 percent of its perimeter wall area unenclosed; or
2. A slatted, lattice or louvered roof structure with not less than 25 percent of the roof area open to the sky; or
3. An open structural framework covered with shade cloth fabric as specified in Section 3105.4.

Non-residential patio covers shall not apply to canopies or roof structures over vehicle drive-through lanes or porte-cocheres used by motor vehicles.

PARKING LOT SHADE STRUCTURE. ~~A parking lot shade structure is a modified S-2 open parking garage.~~ A parking lot shade structure is a Group U Occupancy with a freestanding roof supported on columns and entirely open on all sides with no enclosures beneath the roof.

RETRACTABLE AWNING. A retractable awning is a cover with a frame that retracts against a building or other structure to which it is entirely supported.

3105.32 Design and construction. Awnings, shade structures and canopies shall be designed and constructed to withstand wind or other lateral loads and live loads as required by Chapter 16 with due allowance for shape, open construction and similar features that relieve the pressures or loads. Structural members shall be protected to prevent deterioration. Awnings shall have frames of noncombustible material, ~~fire-retardant-treated wood~~, heavy timber complying with Section 2304.11 ~~wood of Type IV size~~, or 1-hour construction with combustible or noncombustible covers and shall either be fixed, retractable, folding or collapsible.

3105.4 3 Awnings, shade structure, and Canopy materials, ~~and shade structure materials~~ Awnings, shade structures, and ~~Canopies~~ and shade structures shall be provided with an approved covering that complies with one of the following: constructed of a rigid frame work with an ~~approved~~ covering that meets the fire propagation performance criteria of Test Method 1 or Test Method 2, as appropriate, of NFPA 701 or has a ~~flame spread index~~ not greater than 25 when tested in accordance with ASTM E 84 or UL 723.

1. The fire propagation performance criteria of Test Method 1 or Test Method 2, as appropriate, of NFPA 701.
2. Has a flame spread index not greater than 25 when tested in accordance with ASTM E84 or UL 723.
3. Meets all of the following criteria when tested in accordance with NFPA 286:
 - 3.1 During the 40 kW exposure, flames shall not spread to the ceiling.
 - 3.2 Flashover, as defined in NFPA 286, shall not occur.
 - 3.3 The flame shall not spread to the outer extremity of the sample on any wall or ceiling.
 - 3.4 The peak heat release throughout the test shall not exceed 800 kW.

Exception: The fire propagation performance and flame spread index requirements shall not apply to awnings installed on detached one- and two-family dwellings.

Adding the following sections:

3105.5 4 Industrial shade canopies. Industrial shade canopies shall comply with the provisions of Chapter 3 for their designated occupancy except as specifically modified below.

3105.54.1 Construction and Height. Industrial shade canopies shall be limited to one story in height and shall be entirely of Type I or Type II non-combustible construction. Industrial shade canopies shall meet the design requirements of Chapter 16.

3105.54.2 Location on Property. Industrial shade canopies shall comply with Table 601 and 602 for the fire resistive protection. Shade canopies attached to unlimited area buildings shall not encroach within the required 60 foot (18288 mm) open yard area. Not less than 50 percent of the shade canopy perimeter area shall be unenclosed.

3105.54.3 Allowable Area. Industrial shade canopies may be attached to a Group F or a Group S occupancy building of any construction type when the total combined area of the building and the shade canopy does not exceed the area limits specified in Sections 503 and 506 for the type of construction for the building.

2. THE INTERNATIONAL RESIDENTIAL CODE, 2018 EDITION, IS AMENDED AS FOLLOWS (DELETIONS IN STRIKETHROUGH; ADDITIONS IN UNDERLINE):

Chapter 1, "Scope and Administration," is hereby amended as follows:

R101.1 Title.

These provisions shall be known as the *Residential Code for One- and Two-family Dwellings* of "The Town of Wickenburg" and shall be cited as such and will be referred to herein as "this code."

R101.2 Scope.

The provisions of the International Residential Code for One-and Two-Family Dwellings shall apply to the construction, *alteration*, movement, enlargement, replacement, repair, *equipment*, use and occupancy, location, removal, and demolition of detached one- and two-family dwellings and *townhouses* not more than three stories above *grade plane* in height, with a separate means of egress, and their *accessory structures* not more than three stories above *grade plane* in height.

Exception: The following shall be permitted to be constructed in accordance with this code where, provided with a residential fire sprinkler system complying with Section P2904:

1. Live/work units located in one-and two-family dwellings, or townhouses and complying with the requirements of Section 419 of the International Building Code. Fire suppression required by Section 419.5 of the International Building Code when designed under the International Residential Code for One-and Two-family dwellings shall conform to Section P2904.
2. Owner-occupied lodging houses with five or fewer guestrooms.
3. A care facility with five or fewer persons receiving *custodial care* within a dwelling unit.
4. A care facility with five or fewer persons receiving *medical care* within a dwelling unit.
5. A care facility with five or fewer persons receiving care that are *reside within a single-family dwelling*.

R102.7 Existing structures. The legal occupancy of any structure existing on the date of adoption of this code shall be permitted to continue without change, except as is specifically covered in this code, the *International Property Maintenance Code*, or the *Wickenburg Fire Code*, as amended by the Town of Wickenburg, or as is deemed necessary by the *building official* for the general safety and welfare of the occupants and the public.

SECTION R103. DEPARTMENT OF BUILDING SAFETY Reserved.

SECTION R104. DUTIES AND POWERS OF THE BUILDING OFFICIAL Reserved.

SECTION R105. PERMITS Reserved.

SECTION R106. CONSTRUCTION DOCUMENTS Reserved.

SECTION R108. FEES Reserved.

SECTION R109. INSPECTIONS Reserved.

SECTION R110. CERTIFICATE OF OCCUPANCY Reserved.

SECTION R112. BOARD OF APPEALS Reserved.

SECTION R113. VIOLATIONS Reserved.

SECTION R114. STOP WORK ORDER Reserved.

Chapter 2, “Definitions,” is hereby amended as follows:

SECTION R202. DEFINITIONS

Fire separation distance. The distance measured from the building face to one of the following:

1. To the closest interior lot line.
2. To the centerline of a street, an alley, or public way.
3. To an imaginary line between two buildings on the lot. The distance shall be measured at a right angle from the face of the framing.

Standard Plans. Plans authorized by the Development and Engineering Department to be used in construction on a repetitive basis. Standard plans may include options allowing variations to the building design that may alter the interior and exterior appearance.

Chapter 3, “Building Planning,” is hereby amended to read as follows:

R301.2 Climatic and geographic design criteria. Buildings shall be constructed in accordance with the provisions of this code as limited by the provisions of this section.

Ground snow load:	0 psf
Wind Speed:	90 mph/ult.
Topographic effects	No
Special Wind Region	No
Wind-borne debris zone:	No
Seismic design category:	B
Weathering:	Negligible
Frost line depth:	12”
Termite:	Moderate to heavy
Winter design temperature:	32°F
Ice shield underlayment required:	No

Flood hazards:	Per Maricopa or Yavapai County Flood Control District, as applicable.
Air freezing index:	0
Mean annual temperature:	71.2°

MANUAL J DESIGN CRITERIAN

Refer to Section M1401.3 and N1103.7 of the 2018 IRC.

Section 301.2.4 “Floodplain construction” is amended to read as follows:

R301.2.4 Floodplain construction. Buildings and structures constructed in whole or in part in flood hazard areas, and substantial improvement and restoration of substantial damage of buildings and structures in flood hazard areas, shall be designed and constructed in accordance with the Town of Wickenburg Code and Maricopa or Yavapai County Flood Control District, regulations, as applicable.

Section R301.5, “Live Load” is amended as follows:

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

USE	LIVE LOAD
Uninhabitable attics without storage	10
Uninhabitable attics with limited storage	20
Habitable attics and attics served with fixed stairs	30 40
Balconies (exterior) and decks	40
Fire escapes	40
Guards and handrails	200
Guard in-fill components	50
Passenger vehicle garages	50
Rooms other than sleeping rooms	40
Sleeping rooms	40
Stairs	40

R302.2.2 Common walls.

Common walls separating townhouses shall be assigned a fire resistance rating in accordance with Item 1 or 2. The common wall shared by two townhouses shall be constructed without plumbing or mechanical equipment, ducts, or vents in the cavity of the common wall. The wall shall be rated for fire exposure from both sides and shall extend to and be tight against exterior walls and the underside of the roof sheathing. Electrical installations shall be in accordance with chapters 34 through 43. Penetrations of the membrane of common walls for electrical outlet boxes shall be in accordance with section R302.4

1. Where a fire sprinkler system in accordance with P2904 is provided, the common wall shall

not be less than 1-hour fire resistance rated wall assembly tested in accordance with ASTM E119, UL 263 or section 703.3 of the *International Building Code* (as amended by the Town of Wickenburg).

2. Where a fire sprinkler system in accordance with P2904 is not provided, the common wall shall not be less than a 2-hour fire resistance rated wall assembly tested in accordance with ASTM E119, UL 263 or section 703.3 of the *International Building Code*(as amended by the Town of Wickenburg).

Amend Section R303 as follows:

Section R303. LIGHT, VENTILATION, AND HEATING AND COOLING

R303.10 Required heating and cooling. Every dwelling unit shall be provided with heating and cooling facilities capable of maintaining room temperatures between 70°F (21°C) and 90°F (50°C) at a point 3 feet (914 mm) above the floor and 2 feet (610 mm) from exterior walls in all habitable rooms. The installation of one or more portable space heaters or portable space coolers shall not be used to achieve compliance with this section.

SECTION R309.5 Fire Sprinklers.

DELETE this section in its entirety.

Amend R310, “Emergency Escape and Rescue Openings” as follows:

R310.4 Bars, grilles, covers and screens. Bars, grilles, covers, screens or similar devices are permitted to be placed over emergency escape and rescue openings, bulkhead enclosures, or window wells that serve such openings, provided that the minimum net clear opening size complies with Sections R310.1.1 to R310.2.3, and such devices shall be releasable or removable from the inside without the use of a key, tool, special knowledge or force greater than that required for normal operation of the escape and rescue opening. The dwelling shall be equipped with smoke alarms installed in accordance with Section R314.

SECTION R313 AUTOMATIC FIRE SPRINKLER SYSTEMS

DELETE this section in its entirety.

Amend SECTION R322 FLOOD RESISTANT CONSTRUCTION to read as follows:

SECTION R322 FLOOD-RESISTANT CONSTRUCTION. Buildings and structures constructed in whole or in part in flood hazard areas, and substantial improvement and restoration of substantial damage of buildings and structures in flood hazard areas, shall be designed and constructed in accordance with the Town of Wickenburg Code and Maricopa or Yavapai County Flood Control District regulations, as applicable.

Amend SECTION R326 SWIMMING POOLS, SPAS AND HOT TUBS to read as follows:

SECTION R326 SWIMMING POOLS, SPAS, AND HOT TUBS

R326.1 General. The provisions of this appendix shall control the design and construction of swimming pools, spas and hot tubs installed in or on the lot of a one- and two-family dwelling.

R326.2 DEFINITIONS General. For the purposes of these requirements, the terms used shall be defined as follows and as set forth in Chapter 2.

ABOVE-GROUND/ON-GROUND POOL. See "Swimming pool".

BARRIER. A fence, wall, building wall or combination thereof which completely surrounds the swimming pool and obstructs access to the swimming pool.

HOT TUB. See "Swimming pool".

IN-GROUND POOL. See "Swimming pool".

RESIDENTIAL. That which is situated on the premises of a detached one- or two-family dwelling or a one-family townhouse not more than three stories in height.

SPA, NONPORTABLE. See "Swimming pool".

SPA, PORTABLE. A nonpermanent structure intended for recreational bathing, in which all controls, water-heating and water-circulating equipment are an integral part of the product.

SWIMMING POOL. Any structure intended for swimming or recreational bathing that contains water over 18 inches (457 mm) deep at any point, and, other than hot tubs and spas is wider than 8 feet (2400 mm) at any point. This includes in-ground, above ground and on-ground swimming pools and, other than the width, hot tubs and spas.

SWIMMING POOL, INDOOR. A swimming pool which is totally contained within a structure and surrounded on all four sides by walls of said structure.

SWIMMING POOL, OUTDOOR. Any swimming pool which is not an indoor pool.

R326.3 SWIMMING POOLS

R326.3.1 In ground pools. In-ground pools shall be designed and constructed in conformance with ANSI/NSPI-5 as listed in Section AG107.

R326.3.2 Above ground and on-ground pools. Aboveground and on-ground pools shall be designed and constructed in conformance with ANSI/NSPI-4 as listed in Section AG107.

R326.4 SPAS AND HOT TUBS

R326.4.1 Permanently installed spas and hot tubs. Permanently installed spas and hot tubs shall be designed and constructed in conformance with ANSI/NSPI-3 as listed in Section AG107.

R326.4.2 Portable spas and hot tubs. Portable spas and hot tubs shall be designed and

constructed in conformance with ANSI/NSPI-6.

SECTION R326.5 BARRIER REQUIREMENTS: Delete in its entirety and add: “*See Section 14-21-10 of the Town of Wickenburg Town Code.*”

R326.5.3 Indoor swimming pool. All walls surrounding an indoor swimming pool shall comply with Section 326.5.2, Item 12.

R326.6 Prohibited locations. Barriers shall be located so as to prohibit permanent structures, equipment or similar objects from being used to climb the barriers.

R326.7 Barrier exceptions.

1. For portable spas and hot tubs with a safety cover which complies with ASTM F 1346, as listed in Section R326, shall be exempt from the provisions of R326.5.2.

2. For spas and hot tubs, a hard safety cover which is latched or locked may be used provided the spa or hot tubs not more than 8 feet (2.44 m) in width at any point.

Chapter 4, “Foundations,” is hereby amended as follows:

Amend **SECTION R401.1 FOUNDATIONS** to read as follows:

R401.1 Application. The provisions of this chapter shall control the design and construction of the foundation and foundation spaces for all buildings. In addition to the provisions of this chapter, the design and construction of foundations in flood hazard areas shall be in accordance with Maricopa or Yavapai County Flood Control District regulations, as applicable. Wood foundations shall be designed and installed in accordance with AWC PWF.

R401.4.1 Geotechnical evaluation.

In lieu of a complete geotechnical evaluation the load-bearing values in Table R401.4.1 shall be assumed. A complete geotechnical evaluation is required for presumptive load-bearing values greater than 1500 pounds per square foot (72kPA).

Amend Section R403.1.1 Minimum size to read as follows:

R403.1.1 Minimum size. The minimum width, W, and thickness, T, for concrete footings shall be in accordance with Tables R403.1(1) through R403.1(3) and Figure R403.1(1 or R403.1.3, as applicable. The footing width shall be based on the load-bearing value of the soil in accordance with Table R401.4.1. Footing projections, P, shall be not less than 2 inches (51 mm) and shall not exceed the thickness of the footing. Footing thickness and projection for fireplaces shall be in accordance with Section R1001.2. The size of footings supporting piers and columns shall be based on the tributary load and allowable soil pressure in accordance with Table R401.4.1. Footings for wood foundations shall be in accordance with the details set forth in Section R403.2, and Figures R403.1(2) and R403.1(3).

Exception: For enclosure of existing carport and patio covers, non-bearing wood framed exterior walls within the projection of the existing roof may be supported on an existing,

uncracked concrete slab. The minimum slab thickness shall be 3.5 inches and the construction shall comply with the requirements of R317 for protection against decay.

Chapter 5, “Floors,” is hereby amended as follows:

Amend Section R502.3.1 to read as follows:

R502.3.1 Sleeping areas and attic joists. Table R502.3.1(2) shall be used to determine the maximum allowable span of floor joists that support sleeping areas and *attics* that are accessed by means of a fixed stairway in accordance with Section R311.7 provided that the design live load does not exceed 30 40 pounds per square foot (1.92 k Pa) and the design dead load does not exceed 20 pounds per square foot (0.96 kPa). The allowable span of ceiling joists that support *attics* used for limited storage or no storage shall be determined in accordance with Section R802.5.

Chapter 11, “Energy Efficiency,” is hereby amended as follows:

Add new **Section N1101.15 RESNET Testing & Inspection Protocol** to read as follows:

N1101.15 RESNET Testing & Inspection Protocol. The residential Energy Services Network (RESNET) Mortgage Industry National Home Energy Rating System Standards Protocol for third party testing and inspections, shall be deemed to meet the requirements of sections N1102.4.1.1, N1102.4.1.2 and N1103.3.2, and shall meet the following conditions:

1. Third Party Testing and Inspections shall be completed by RESNET certified Raters or Rating Field Inspectors and shall be subject to RESNET Quality Assurance Field Review procedures.
2. Sampling in accordance with Chapter 6 of the RESNET Standards shall be performed by Raters or Rating Field Inspectors working under a RESNET Accredited Sampling Provider.
3. Third Party Testing is required for the following items:
 - a. N1102.4.1.1 – Building Envelope – Thermal and Air Barrier Checklist
 - b. N1102.4.1.2 – Testing – Air Leakage Rate.
 - c. N1103.3.2 – Sealing – Duct Tightness.
4. The other requirements identified as “mandatory” in Chapter 11 shall be met.
5. Alternate testing and inspection programs and protocols shall be allowed when approved by the Code Official.

Amend N1103.3.1 (R403.3.1) as follows:

N1103.3.1 (R403.3.1) Insulation (Prescriptive). Supply and return ducts in attics shall be insulated to a minimum of R-8 where 3 inches (76.2 mm) in diameter and greater and R-6 where less than 3 inches (76.2 mm) in diameter. Supply and return ducts in other portions of the building

shall be insulated to a minimum of R-6 where 3 inches (76.2 mm) in diameter or greater and R-4.2 where less than 3 inches (76.2 mm) in diameter.

Exceptions:

1. Ducts or portions thereof located completely inside the *building thermal envelope*.
2. Supply and return ducts may be insulated to a minimum of R-6 when one or more of the following conditions are met:
 - 2.1 Minimum SEER rating of space heating/cooling system is increased to 15.
 - 2.2 Maximum U-factor is decreased to 0.35 and maximum SHGC is decreased to 0.22 for all fenestration products.
 - 2.3 Wall cavity insulation minimum R-value is increased to R-19.
 - 2.4 Residential buildings that meet the requirements of sections R102.1.1 or R405.
 - 2.5 Residential buildings with attic radiant barriers in accordance with ASTM C1313, installed in accordance with ASTM C1743.

Amend N1106.4 (R406.4) “ERI-based compliance” to read as follows:

TABLE N1106.4 (R406.4)
MAXIMUM ENERGY RATING INDEX

CLIMATE ZONE	ENERGY RATING INDEX
2	59 ¹ 57 ¹

¹ Energy generated from on-site renewable energy shall not be included in the calculation of the Energy Rating Index value.

a. Where on-site renewable energy is included for compliance using the ERI analysis of Section N1106.4, the building shall meet the mandatory requirements of Section N1106.2, and the building thermal envelope shall be greater than or equal to the levels of efficiency and SHGC in Table N1102.1.2 or Table N1102.1.4.

Chapter 13, “General Mechanical System Requirements”, is hereby amended as follows:

Add a new section **M1307.7 Liquefied Petroleum Appliances** to read as follows:

M1307.7 Liquefied Petroleum Appliances. LPG appliances shall not be installed in an attic, pit or other location that would cause a ponding or retention of gas.

Chapter 24, “Fuel Gas”, is hereby amended to read as follows:

Add a new paragraph to G2406.2 Prohibited locations, by adding exception number 7, to read as follows:

7. Liquefied Petroleum Appliances. LPG appliances shall not be installed in an attic, pit or other location that would cause a ponding or retention of gas.

Amend Section G2415.12 by replacing the first paragraph with the following:

G2415.12 (404.12) Minimum burial depth. Underground *pipng systems* shall be installed a minimum depth of 12 inches (305 mm) below grade for metal piping and 18 inches (457mm) for plastic piping.

Amend Section G2415.12 by deleting subparagraph G2415.12.1 in its entirety.

Chapter 39, “Power and Lighting Distribution”, is hereby amended to read as follows:

E3901.9 Basements, garages and accessory buildings.

Not less than one receptacle outlet, in addition to any provided for specific equipment, shall be installed in each separate unfinished portion of a basement; in each vehicle bay at not less than (18) inches (457 mm) and not more than 5.5 feet (1676 mm) above the floor in attached garages; in each vehicle bay at not less than (18) inches (457 mm) and not more than 5.5 feet (1676 mm) above the floor in detached garages that are provided with electric power and in accessory buildings that are provided with electric power. [210.52(G)(1), (2), and (3)]

Add a new section **E3902.14.1 “Indoor damp locations”** to read as follows:

E3902.14.1 Indoor damp locations.

125-volt, single-phase, 15 and 20 ampere receptacles installed in indoor damp locations shall have ground-fault circuit-interrupter protection for personnel.

Amend Section E3908.8. “Types of equipment grounding conductors” Item 4 to read as follows:

4. Electrical metallic tubing with an additional equipment grounding conductor sized in accordance with Table E3908.12.

3. THE INTERNATIONAL MECHANICAL CODE, 2018 EDITION, IS AMENDED AS FOLLOWS (DELETIONS IN ~~STRIKETHROUGH~~; ADDITIONS IN UNDERLINE):

Section 101.1 Title.is AMENDED to read as follows:

Section 101.1 Title. These regulations shall be known as the Mechanical Code of the Town of Wickenburg, hereinafter referred to as "this code."

Section 106.4.4 is DELETED in its entirety and REPLACED with the following:

Section 106.4.4 Extensions. 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 had been pursued in good faith or a permit has been issued; except that the building official is authorized to grant one extension of time for a period not to exceed 180 days. The extension shall be requested in writing and justifiable cause demonstrated.

Section 106.5.2 Fee schedule. Is DELETED in its entirety and REPLACED with the following:

Section 106.5.2 Fee schedule. All fees shall be in accordance with the Town of Wickenburg fee schedule as adopted by Town Council.

CHAPTER 3 GENERAL REGULATIONS

SECTION 303 EQUIPMENT AND APPLIANCE LOCATION

Section 303.3 Prohibited locations. Is AMENDED by ADDING a new item number to the subsection as follows:

6. Any room operating under negative pressure unless the appliances are listed for that environment and are not natural draft vented.

Section 303.7 Pit locations. Is AMENDED by ADDING new subsection:

Section 303.7.1 Liquid petroleum gas (LPG) appliances.

Liquid petroleum gas (LPG) gas-fired appliances shall not be installed in an attic, crawl space or pit.

SECTION 304 INSTALLATION

Section 304.3 Elevation of ignition sources. Is AMENDED by ADDING new Exception 2 which reads as follows:

Exception 2: Clothes dryers installed in private garages.

SECTION 306 ACCESS AND SERVICE SPACE

Section 306.5 Equipment and appliances on roofs or elevated structures. Is AMENDED by

ADDING new item 11 to read as follows:

11. When access is through a roof hatch or access door, the minimum clear access opening dimension shall not be less than 22 inches by 30 inches (559MM by 762 MM).

SECTION 307 CONDENSATE DISPOSAL

Section 307.2.1 Condensate disposal. Is REVISED by ADDING the following to the end of the paragraph:

Approved locations for the termination of condensate disposal drains are as follows:

1. Into a fixture tailpiece with correct plumbing fitting, waste air gap or laundry tray with secondary drain.
2. Above finished grade outside of the building in an area that will absorb the condensate flow without ponding that could cause damage to building components.
3. Over roof drains that connect to drainage pipes provided they terminate at or above grade in an area capable of absorbing the condensate flow without surface drainage.

SECTION 309 TEMPERATURE CONTROL

309.1 Heating and cooling systems. Is AMENDED to READ as follows:

Habitable spaces shall be provided with active or passive space-heating and space cooling systems capable of maintaining temperatures between 70°F (21°C) and 90°F (32°C) at a point 3 feet (914 mm) above the floor. The installation of portable space heaters or coolers shall not be used to achieve compliance with this section.

Exceptions:

1. Space heating and cooling systems are not required for Interior spaces where the primary purpose is not associated with human comfort.
2. Group F, H, S, and U occupancies.

CHAPTER 4 VENTILATION

SECTION 401 GENERAL

Section 401.4 Intake opening location. Is REVISED by ADDING a new exception to read as follows:

Exception: Replacement of existing evaporative coolers where it is determined by the Building Official that the replacement does not constitute a hazard.

SECTION 403 MECHANICAL VENTILATION

Section 403.3.1.5 Balancing. Is REVISED by DELETING the second sentence of this section and replacing it with the following:

Ventilation systems shall be balanced by individuals holding current certification from the Associated Air Balance Council (AABC), the National Environmental Balancing Bureau (NEBB) or other approved agencies.

CHAPTER 5 EXHAUST SYSTEMS

SECTION 502 REQUIRED SYSTEMS

Section 502.1 General. Is AMENDED by ADDING new Section 502.21 “Storage and Use of carbon dioxide (CO₂)” to read as follows:

Section 502.21 Storage and use of liquid carbon dioxide (CO₂) systems.

Indoor or outdoor areas that contain liquid carbon dioxide (CO₂) stored in ASME pressure vessels in new and existing facilities shall be provided with mechanical exhaust ventilation in accordance with this section.

Exception: Outdoor storage areas in non-enclosed spaces designed to prevent the collection of vapors when approved by the Fire Marshal.

502.21.1 System requirements.

Exhaust ventilation systems for liquid carbon dioxide CO₂ tanks shall comply with all of the following:

1. The installation shall be in accordance with this code and the Town of Wickenburg Fire Code.
2. Mechanical ventilation shall be provided at a rate of not less than 1 cfm per square foot [0.00508 m³/(s • m²)] of floor area over the storage area.
3. The system shall operate continuously unless alternate designs are approved by the Fire Marshal.
4. A manual start control shall be provided outside of the room in a position adjacent to the access door to the room or in another approved location. The switch shall be a break-glass or other approved type and shall be labeled: VENTILATION SYSTEM EMERGENCY ON-ONLY.
5. Exhaust ventilation shall be designed to consider the density of the potential vapors released. For liquid CO₂ systems, exhaust shall be taken from a point within 12 inches (305 mm) of the floor.

6 Makeup air shall be provided. The location of both the exhaust and makeup air openings shall be designed to provide air movement across all portions of the floor or room to prevent the accumulation of vapors.

7. Exhaust air shall not be recirculated to occupied areas. Exhaust termination shall be located where it will not allow for a dangerous accumulation of vapors and in accordance with Section 501.3.1 (2).

8. Sensors, controls, alarms, piping, and all accessory components shall be as prescribed by the Town of Wickenburg Fire Department.

SECTION 504 CLOTHES DRYER EXHAUST

Section 504.3 Cleanout. Is REVISED by ADDING the following to the end of the sentence:

The flexible connection between a single dryer exhaust vent and riser shall be considered as an acceptable cleanout for the purposes of this section.

CHAPTER 6 DUCT SYSTEMS

SECTION 602 PLENUMS

Section 602.2 Construction. Is REVISED by ADDING the following after the first sentence of the paragraph:

Plenum enclosures constructed of combustible materials shall be subject to the following requirements.

1. Sprinklers shall be installed within the plenum space in accordance with the International Fire Code and amendments.
2. Area smoke detectors shall be installed within the plenum space as per their listing.
3. Duct smoke detectors shall be installed in the return air system of all air moving equipment serving the plenum.
4. The area smoke detectors and duct smoke detectors shall shut down all air moving equipment serving the plenum whenever any detector detects smoke.
5. In occupancies not required to be equipped with a fire alarm system, actuation of any smoke detector shall activate a visible and audible signal in a location approved by the Building Official.

SECTION 606 SMOKE DETECTION SYSTEMS CONTROL

Section 606.2.1 Return air systems. Is AMENDED to read as follows:

606.2.1 Air distribution systems. Smoke detectors shall be installed in air distribution systems downstream of the filters and ahead of any branch connections in systems having a design

capacity greater than 2,000 cfm (0.9m³/s).

Exception: Smoke detectors are not required where all portions of the building served by the air distribution system are protected by area smoke detectors connected to a fire alarm system in accordance with the *International Fire Code*. The area smoke detection system shall comply with Section 606.4.

CHAPTER 10 BOILERS, WATER HEATERS AND PRESSURE VESSELS

SECTION 1001 GENERAL

Section 1001.1 Scope. Is REVISED by DELETING Exception 7 in its entirety and REPLACING with the following:

Any boiler or lined water heater in excess of 200,000 BTU/H shall be subject to federal and state inspections. See Arizona Boiler Rules for Regulations, Title 20, Chapter 5.

SECTION 1004 BOILERS

Section 1004.1 Standards. Is REVISED by DELETING all text after the second sentence and INSERTING the following:

Boilers shall be designed and constructed in accordance with ASME Boiler and Pressure Vessel Code, and the Arizona Boiler Rules, Title 20 Chapter 5.

4. THE INTERNATIONAL FIRE CODE, 2018 EDITION, IS AMENDED AS FOLLOWS (DELETIONS IN ~~STRIKETHROUGH~~; ADDITIONS IN UNDERLINE):

The following sections of the International Fire Code, 2018 edition, are hereby amended:

SECTION 101 SCOPE AND GENERAL REQUIREMENTS is AMENDED as follows:

Section 101.1 Title. These regulations shall be known as the Fire Code of the Town of Wickenburg, hereinafter referred to as “this code.”

SECTION 102 APPLICABILITY is AMENDED to read as follows:

Section 102.3 A change in occupancy. A change of occupancy shall not be made unless the occupancy is made to comply with the requirements of this code and the International Existing Building Code. All changes in occupancy shall be coordinated with the Town of Wickenburg Fire Department.

New subsection ADDED to read as follows:

105.4.2.2 Electronic Construction Documents. Construction documents shall be provided in an approved electronic file format upon request by the fire code official.

New subsection ADDED to read as follows:

105.7.26 Fire Fighter Air Replenishment System (FARS)
A construction permit is required for installation of or modification to a Fire Fighter Air Replenishment System (FARS). Maintenance performed in accordance with this code is not considered a modification and does not require a permit.

SECTION 109 BOARD OF APPEALS is AMENDED to read as follows:

109.1 “Board of Appeals” is hereby amended by deleting the section in its entirety and replacing it with: “Appeals shall be conducted pursuant to Section 8-1-3 of the Town Code.”

SECTION 110 VIOLATIONS is AMENDED to read as follows:

110.4 “Violation penalties” is hereby amended by deleting the section in its entirety and replacing it with: “Violations are handled in accordance with Section 8-1-9 of the Town Code and subject to the penalties in Section 1-8 of Town Code, including being charged with a class one misdemeanor, and upon conviction thereof punishment by a fine not to exceed Two Thousand Five Hundred Dollars (\$2,500) or by imprisonment for a period not to exceed six (6) months, or both such fine and imprisonment. Each day that a violation continues shall be a separate offense punishable as herein described.”

ADD new subsection to read as follows:

110.4.2 Abatement cost recovery.

The cost of abatement shall be assessed against the property owner pursuant to the provisions of Wickenburg Town Code and state law.

AMEND section to read as follows:

112.4 Failure to comply.

Any person who shall continue to work after having been served with a stop work order, except such work as that person is directed to perform to remove a violation or unsafe condition, shall be liable of a fine as established by the Town Council of the Town of Wickenburg, or a court of law, if a citation is issued.

SECTION 202 DEFINITIONS is AMENDED to read as follows:

FIRE CODE OFFICIAL. AMEND to read as follows:

The fire chief or fire marshal and their designees charged with the administration and enforcement of the code.

ADD new section to read as follows:

MODIFIED 13D and 13R SPRINKLER SYSTEM.

The provisions and requirements of NFPA 13D, 13R and the IFC shall apply as appropriate to include fire sprinkler coverage in bathrooms, closets, garages, attached carports, attached covered patios, entry porches and attics.

AMEND section to read as follows:

308.1.4 Open Flame Cooking Devices.

Charcoal burners, chimineas, barbecues fixed, or portable, and other open-flame cooking devices shall not be operated on combustible balconies or within 10 feet (3048 mm) of combustible construction.

Exceptions:

1. One- and two- family dwellings.
2. DELETED in its entirety.
3. DELETED in its entirety.

AMEND section to read as follows:

308.1.6.3 Sky lanterns.

The lighting and release of Sky Lanterns shall be prohibited.

311.2.2 Fire protection. Amend by DELETING the Exceptions: in their entirety.

403.12.3 Crowd managers. DELETED in its entirety.

ADD new subsection to read as follows:

503.1.4 Storage Yards.

Approved fire access shall be provided where required by the Fire Code Official for all new and existing outdoor storage areas. This includes, but is not limited to, storage piles throughout automotive yards, junkyards, and processing and recycling facilities.

ADD new subsection to read as follows:

Electric Gates.

An approved key switch and pre-emption sensor shall be required on all new electric gates installed across a fire apparatus access road. The key switch and pre-emption sensor shall be installed in a location as approved by the fire code official.

Exception:

1. A pre-emption sensor is optional for a one- and two-family dwelling.

ADD new subsection to read as follows:

503.6.2 Manual Security Gates.

An approved dual padlock locking system shall be required on all manual gates installed across a fire apparatus access road. An approved Fire Department pad lock shall be installed on one side and the owner/operator pad lock on the other side.

ADD new subsection to read as follows:

507.2.3 Water Supply.

Sprinkler water supply shall be a separate connection to a looped public water supply and shall not serve domestic water service supply lines or fire hydrants.

Exception:

Detached one- and two-family dwellings and townhouses including their accessory structures.

ADD new subsection to read as follows:

507.2.4 Operation of valves.

Operation of sprinkler control valves, fire hydrants or street control valves shall be allowed only by properly authorized personnel and shall be accompanied by notification of duly designated parties. When the sprinkler protection, hydrant water is being regularly turned off and on to facilitate connection of newly completed segments, the sprinkler control valves, fire hydrants and street control valves shall be checked at the end of each work period to ascertain that protection is in service, this is the responsibility of the fire prevention program superintendent and recorded and maintained on daily logs until such time the project is completed. Fire department personnel may request access to logs at any time to verify valve control. Failure to control or record valves status will constitute a fire code violation for failure to obey orders and notices as required by

this code.

AMEND section to read as follows:

507.3 Fire flow.

Appendix B shall be used to determine fire flow requirements for buildings or portions of buildings and facilities. Open storage areas or yards are subject to approval of the fire code official.

AMEND section to read as follows:

510.1 Emergency responder radio coverage in new buildings.

New buildings shall have approved radio coverage for emergency responders within the building based on the existing coverage levels of the public safety communication systems utilized by the jurisdiction, measured at the exterior of the building. This section shall not require improvement of the existing public safety communication systems. All buildings and structures with the following characteristics shall comply with Section 510:

1. Buildings or structures more than 3 stories above ground level;
2. Buildings or structures totaling 45,000 square feet (13 716 m²) or more on any single floor;
3. Buildings or structures that include a basement or other subterranean space totaling 250 square feet (76.2 m²) or more; or
4. Buildings or structures where fire code official has determined to have been constructed in a manner or with materials likely to limit the ability of emergency response personnel to effectively use radio communication while within that building or structure.

Exceptions:

1. Where approved by the building official and the fire code official, a wired communication system in accordance with Section 907.2.13.2 shall be permitted to be installed or maintained in lieu of an approved radio coverage system.
2. Where it is determined by the fire code official that the radio coverage system is not needed.
3. In facilities where emergency responder radio coverage is required and such systems, components or equipment required could have a negative impact on the normal operations of that facility, the fire code official shall have the authority to accept an automatically activated emergency responder radio coverage system.
4. Groups R-3, R-4, R-5, and U occupancies.
5. Buildings and structures utilizing only wood framing.
6. Buildings and structures less than thirty-five (35) feet (10 668 mm) above ground level and do not utilize any metal framing or metal roofing.

AMEND section to read as follows:

510.4.1.1 Minimum signal strength into the building.

The minimum inbound signal strength shall be sufficient to provide usable voice

communications throughout the coverage area as specified by the fire code official. The inbound signal level shall be sufficient to provide not less than a minimum signal strength of -95 dBm in 95% of the area on each floor when transmitting to and from a Public Safety Radio System. Applicable to the technology for either analog or digital signals.

ADD new subsection to read as follows:

510.4.1.1 1 Minimum Delivered Audio Quality (DAQ). A minimum DAQ of 3.4 for signal strength and intelligibility when utilizing the Public Safety Radio System. For public safety, the accepted objective is to provide DAQ 3.4 over the service area. DAQ 3.4 is defined as “speech understandable with repetition only rarely required, and with some noise and/or distortion” and represents a Bit Error Rate (BER) of 2%.

ADD new subsection to read as follows:

901.2.2 Plan certification for all other fire protection systems. Plan certification for all other fire protection systems shall be accompanied by a certification of compliance when required.

ADD new subsection to read as follows:

901.2.3 Minimum Design Requirements. Where an automatic sprinkler system is required in a building of undetermined use, the system design criteria shall meet the maximum use of the occupancy. Use is considered undetermined or speculative if the quantity and combustibility of contents, expected rates of heat release, total potential for energy release, height of stockpiles and the presence of flammable and combustible liquids are not available at the time of plan submission.

ADD new subsection to read as follows:

901.2.4 Water supply hydraulic calculations. Data for hydraulic calculations shall be based on 90 percent of the available water supply as determined by flow test information taken within the previous 120 days.

AMEND section to read as follows:

Section 901.4.6 Pump and Riser Room Size.

At the time of construction, a dedicated interior fire pump and automatic sprinkler system riser room shall be provided with adequate space for all equipment necessary for the installation, as defined by the manufacturer, with sufficient working space around the stationary equipment. Clearances around equipment to elements of permanent construction, including other installed equipment and appliances, shall be sufficient to allow inspection, service, repair, or replacement without removing such elements of permanent construction or disabling the function of a required fire-resistance-rated assembly. Fire pump and automatic sprinkler riser rooms shall have a minimum dimension of 5 feet (1524mm) by 5 feet (1524mm). Access shall be provided through direct exterior access side hinged door(s) with a minimum 32 inch

(813mm) clear width and a minimum height of 80 inches (2031mm).

Exception:

1. One- and two-family dwellings, townhouses, and Groups R-2, R-3 and R-4 with 13D and 13R as approved by the fire code official.
2. Accessory buildings and structures to one and two family dwellings, R-3 and R-4 occupancies located on the same property and as approved by the fire code official.

ADD new subsection to read as follows:

901.6.4 Certification.

The building owner shall be responsible for assuring that each fire protection system is always maintained in an operable condition. Companies and service personnel providing or conducting inspections, testing, repair, maintenance or installation of fire protection systems and equipment shall possess an appropriate and valid license and/or certificate issued by the Arizona Registrar of Contractors for the type of system and work performed and approved by the fire code official.

Exception:

Detached one-and two-family dwellings and townhouses.

AMEND by ADDING Exception to section, to read as follows:

903.2.8 Group R

An automatic sprinkler system installed in accordance with Section 903.3 shall be provided throughout all buildings with a Group R fire area.

Exception:

One-and two-family dwellings and their associated detached accessory structures constructed under the provisions of the International Residential Code.

AMEND by ADDING two (2) new sections to read as follows:

903.13 Additions to Existing Buildings and Structure.

All additions to existing buildings or structures and all buildings or structures that are expanded by an addition(s) shall be provided with an approved automatic fire sprinkler system throughout all levels complying with section 903.2.

Exception: The maximum aggregate fire area of an addition(s) is less than 1,000 square feet or 10% of the floor area of the existing building or structure, whichever is less.

903.14 Change of Occupancy within hazard level 1.

An automatic fire sprinkler system shall be installed when a building, regardless of the building area, undergoes a change of occupancy.

ADD new subsection to read as follows:

903.4.4 Sprinkler System Supervision, Alarms and Monitoring R-4.

All valves controlling the water supply for automatic sprinkler systems and water flow switches on sprinkler systems installed in R-4 occupancies shall be electronically supervised by a listed fire alarm control unit. Alarm, supervisory and trouble signals shall be automatically transmitted to an approved supervising station. Sprinkler water-flow alarm devices shall be activated by water flow equivalent to the flow of a single sprinkler of the smallest orifice size installed in the system.

ADD new subsection to read as follows:

907.1.3.1 Fire Alarm Control Panel Location.

The fire alarm control panel shall be installed in the automatic sprinkler system riser room or a system controlling fire alarm annunciation panel shall be installed in the automatic sprinkler system riser room. When an annunciation panel is present in the automatic sprinkler system riser room, a map indicating the location of the main fire alarm control panel shall be present.

ADD new subsection to read as follows:

907.2.10.8 Group R-3 Childcare – Special Systems.

A childcare facility that provides care for 6 to 10 children of any age for less than 24 hours when the rooms where such children are cared for are located on the level of exit discharge and each of these childcare rooms has an exit door directly to the exterior, shall be classified as Group R-3. At least one smoke detector shall be located within this childcare area and provided with third party monitoring.

AMEND section to read as follows:

3903.2 Prohibited occupancies. Extraction processes utilizing flammable gases or flammable cryogenic fluids shall not be located in any building containing a Group A, E, I or R occupancy including accessory structures to R occupancies.

Add new subsection to read as follows:

5003.1.1.1 Residential use and storage.

The maximum allowable quantities shall not exceed one half of the allowable quantities of all tables listed in 5003.1.1 or 15 gallons of liquid or 150 pounds of solids, whichever is less.

AMEND Exceptions to read as follows:

5601.1 Scope.

Exceptions:

AMEND item 9 to read as follows:

9. Items preempted by federal or state laws or regulations.

ADD item 10 to read as follows:

10. The possession, manufacture, storage, handling, sale, and use of fireworks in accordance with other Town ordinances.

AMEND **5601.1.3 Fireworks, Exceptions**, to read as follows:

5601.1.3 Fireworks.

Exceptions:

Item 4 is AMENDED in its entirety to read as follows:

4. The possession, storage, sale, handling and use of specific types of division 1.4G fireworks where allowed by applicable laws, ordinances and regulations, provided that such fireworks and facilities comply with NFPA 1124, CPSC 16 CFR parts 1500 and 1507, DOTN 49 CFR parts 100-185, and Arizona Revised Statutes (A.R.S.) section 36-1601, et seq., as applicable for consumer fireworks. The use and sale of permissible consumer fireworks as defined under A.R.S. section 36-1601, et seq.

5. THE INTERNATIONAL PLUMBING CODE, 2018 EDITION, IS AMENDED AS FOLLOWS (DELETIONS IN ~~STRIKETHROUGH~~; ADDITIONS IN UNDERLINE):

SECTION 101 GENERAL

Section 101.1 Title. Is AMENDED by inserting the words “Town of Wickenburg” as the name of jurisdiction.

SECTION 305 PROTECTION OF PIPES AND PLUMBING SYSTEM COMPONENTS

Section 305.4.1 Sewer depth. Is AMENDED by INSERTING “12 inches (305 mm)”.

SECTION 312 TESTS AND INSPECTIONS

Section 312.1 “Required tests” is REVISED to read as follows:

The permit holder or person doing the work shall make the applicable tests prescribed in Sections 312.2 through 312.10 to determine compliance with the provisions of this code. The permit holder or person doing the work shall give reasonable advance notice to the Building Official when the work is ready for inspection. The equipment, material, power and labor necessary for the inspection and test shall be furnished by the permit holder or person doing the work and shall be responsible for determining that the work will withstand the test pressure prescribed in the test. All plumbing system piping shall be tested with either available water pressure or by air.

SECTION 403 MINIMUM PLUMBING FACILITIES

Section 403.2 Separate Facilities. Is AMENDED to READ as follows:

Where plumbing fixtures are required, separate facilities shall be provided for each sex.

Exceptions:

1. Separate facilities shall not be required for dwelling units and sleeping units.
2. Separate facilities shall not be required in structures or tenant spaces with a total occupant load, including both employees and customers, of 15 or fewer.
3. Separate facilities shall not be required in mercantile occupancies in which the maximum occupant load is 100 or fewer.
4. Separate facilities shall not be required in business occupancies in which the maximum occupant load is 50 or fewer.

SECTION 410 DRINKING FOUNTAINS

Section 410.2 Small Occupancies. Is AMENDED as follows:

Drinking fountains shall not be required for an occupant load of 50 or fewer.

SECTION 603 WATER SERVICE

Section 603.1 Size of water service pipe. REVISE by ADDING the following sentence to the end of the section:

Replacement water service pipe size shall not be smaller than the pipe being replaced unless water service calculations are provided for sizing the new water line.

SECTION 1202 MEDICAL GASES

Section 1202, Medical Gases. is AMENDED by ADDING one additional subsection to read as follows:

1202.1.1 Level 3 dental facilities. Vacuum piping installed under an on-grade floor shall be installed in compliance with recommendations and drawings prepared by a registered design professional with the otherwise applicable provisions of NFPA 99 most recent published edition. All drawings and specifications shall be sufficiently comprehensive as to provide prescriptive installation criteria. Special inspection in accordance with IBC Section 1704.1 shall be provided.

6. THE INTERNATIONAL EXISTING BUILDING CODE, 2018 EDITION, IS AMENDED AS FOLLOWS (DELETIONS IN ~~STRIKETHROUGH~~; ADDITIONS IN UNDERLINE):

SECTION 101 GENERAL

Section 101.1 "Title: is AMENDED to read as follows:

These provisions shall be known as the *Existing Building Code*, as amended by the Town of Wickenburg, herein after referred to as "this code."

Section 305.8 Scoping for alterations.

305.8.10 Toilet rooms. Is AMENDED to READ as follows:

Where it is technically infeasible to alter existing toilet and bathing rooms to be accessible, an accessible family or assisted-use toilet or bathing room constructed in accordance with Section 1109.2 of the International Building Code is permitted. The family or assisted-use toilet or bathing room shall be located on the same floor and in the same area as the existing toilet or bathing rooms. These directional signs shall include the International Symbol of Accessibility and sign characters shall meet the visual character requirements in accordance with ICC A117.1. In existing construction, one of two or more fixtures (water closets and/or urinals) may be removed to create space for one accessible stall in each existing toilet room. This may result in the reduction of one required water closet which shall be permitted when this reduction is needed to create a conforming accessible toilet stall. Any alteration under this section shall not reduce other accessibility requirements including, but not limited to required clear floor spaces and maneuvering spaces.

SECTION 1201 GENERAL

Section 12 "GENERAL" is AMENDED by ADDING new section to read as follows:

Section 1201.6 Energy Efficiency. Alterations and additions to an *historic building* shall be exempt from the provisions of the International Energy Conservation Code.

SECTION 1202 REPAIRS

Section 1202.4 Repair and replacement. Is AMENDED to read as follows:

Repair and replacement of existing or missing features using original materials shall be permitted. Partial replacement for repairs that match the original in configuration, height, and size shall be permitted. Glazing is subject to the requirements of Section 1203.8. Replacement glazing in hazardous locations shall comply with the safety glazing requirements of Chapter 24 of the International Building Code.

Exception: Glass block walls, louvered windows, and jalousies repaired with like materials.

SECTION 1203 FIRE SAFETY

Section 1203.3 “Means of egress and emergency escape and rescue” is AMENDED to read as follows:

Existing window and door openings and corridor and stairway widths less than those specified elsewhere in this code may be approved, provided that, in the opinion of the code official, there is sufficient width and height for a person to pass through the opening or traverse the means of egress. When approved by the code official, the front or main exit doors need not swing in the direction of the path of exit travel, provided that other approved means of egress having sufficient capacity to serve the total occupant load are provided.

SECTION 1204 CHANGE OF OCCUPANCY

1204.6 “Means of egress and emergency escape and rescue” is AMENDED to read as follows:

Existing window and door openings and corridor and stairway widths less than those that would be acceptable for non-historic buildings under these provisions shall be approved, provided that, in the opinion of the *code official*, there is sufficient width and height for a person to pass through the opening or traverse the exit and that the capacity of the exit system is adequate for the occupant load, or where the other operational controls to limit occupancy are approved by the *code official*.

7. THE NATIONAL ELECTRIC CODE, 2017 EDITION, IS AMENDED AS FOLLOWS (DELETIONS IN STRIKETHROUGH; ADDITIONS IN UNDERLINE):

Section 90.2 Scope. Is AMENDED by ADDING new item (5) to subsection (A) Covered, which shall read as follows:

(5) The engineer or architect of record acting as the prime professional for the project shall employ one or more approved special inspectors for the following types of work:

Electrical special inspection:

1. Ground-fault protection performance tests for equipment provided with ground-fault protection.
2. Switchboards, panelboards, motor control center, and all other equipment rated 1,000 amps or more, or over 600 volts (over-potential test known as hi-pot testing.)
3. Emergency and standby power systems including: switchboards, panelboards, distribution boards, transfer equipment, power source, conductors, fire pumps, exhaust, and ventilation fans.
4. Other special inspections as required by the Building Official.

CHAPTER 2 WIRING AND PROTECTION

ARTICLE 210 BRANCH CIRCUITS

Section 210.5 Identification for Branch Circuits. Is AMENDED by ADDING new subsection (D) to read as follows:

(D) Color code. Where branch circuits requiring a neutral are installed in raceways, the colors of branch circuits connected to the same system shall conform to the following established color code.

VOLTS	PHASE	SYSTEM	PHASE A	PHASE B	PHASE C	NEUTRAL
120/208	3	WYE	BLACK	RED	BLUE	WHITE
277/480	3	WYE	BROWN	ORANGE	YELLOW	GRAY
120/240	3	DELTA	BLACK	ORANGE	BLUE or RED	WHITE

Exception 1: The above color coding is required in residential occupancies that have a 120/240-3 phase delta system. The high leg shall meet all requirements of NEC 110.15, 230.56, 408.3(C) and 408.3(f).

Exception 3: Conductors of listed cable assemblies shall be permitted to be permanently re-identified at the time of installation by distinctive markings at each outlet or termination where the conductor is visible and accessible; such as, six-inch taping or other effective means.

Exception 4: Additions to existing structures, where an acceptable color coding system exists, the existing color may be continued.

Exception 5: Switch legs and/or travelers may be identified by purple or pink.

ARTICLE 225 OUTSIDE BRANCH CIRCUITS AND FEEDER

Section 225.32 Location. Is AMENDED by ADDING the following exception:

Exception No. 5: For freestanding canopies, carports, towers, and similar structures, an individual disconnecting means shall be permitted to be located elsewhere on the premises. The disconnecting means shall be located within sight of the structure or shall be capable of being locked in the open position.

ARTICLE 230 SERVICES

Section 230.2 Number of Services. Is AMENDED by ADDING the following sentence and exception to the end of the first paragraph:

No electrical service on one parcel shall supply power to another separate and distinct parcel unless they are legally combined and under the same ownership.

Exception: Dwellings shall be allowed to supply other accessory structures on the same property.

ARTICLE 250 GROUNDING AND BONDING

Section 250.8 (B) Methods Not Permitted. Is AMENDED by ADDING sentence to the end of the paragraph as to read as follows:

Sheet metal screws shall not be used to connect grounding conductor clamps or connection devices to enclosures.

CHAPTER 3 WIRING METHODS AND MATERIALS

ARTICLE 300 GENERAL REQUIREMENTS FOR WIRING METHODS AND MATERIALS

Section 300.4(D) Cables and Raceways Parallel to Framing Members and Furring Strips., Exception 1 is REVISED to read as follows:

Exception 1: Steel nail plates, sleeves, or equivalent shall not be required to protect rigid metal conduit, intermediate metal conduit, or electric metallic tubing. Rigid nonmetallic conduit (electrical PVC) conduit will require protection.

CHAPTER 4 EQUIPMENT FOR GENERAL USE

ARTICLE 406 RECEPTACLES, CORD CONNECTORS, AND ATTACHMENT PLUGS

Section 406.4 General Installation Requirements. Is AMENDED by ADDING new item (G) **Prohibited Locations**, to read as follows:

No receptacle shall be installed in a readily accessible location directly behind or above a sink, range, counter-mounted cooking unit, grill, deep fryer or any such appliance where cords or receptacles could be subject to physical damage.

8. THE INTERNATIONAL FUEL GAS CODE, 2018 EDITION, IS AMENDED AS FOLLOWS (DELETIONS IN STRIKETHROUGH; ADDITIONS IN UNDERLINE):

SECTION 101 GENERAL

Section 101.1 "Title" is AMENDED by inserting the words "Town of Wickenburg" in the name of jurisdiction.

SECTION 303 APPLIANCE LOCATION

Section 303.7 Pit locations. Is AMENDED by ADDING the following text to the end of the section:

Liquid petroleum gas (LPG) appliances shall not be installed in a pit.

SECTION 306 ACCESS AND SERVICE SPACE

306.5 Equipment and appliances on roofs of elevated structures. Is AMENDED by ADDING new item 11 to read as follows:

11. When access is through a roof hatch or access door, the minimum clear access opening dimension shall not be less than 22 inches by 30 inches (559 MM by 762 MM.)

SECTION 307 CONDENSATE DISPOSAL

Section 307.3 Drainpipe materials and sizes. REVISE the last sentence to read as follows:

Where the drainpipes for more than one unit are manifolded together for condensate drainage, the pipe or tubing shall be sized in accordance with TABLE 307.2.2 of the International Mechanical Code.

SECTION 404 PIPING SYSTEM INSTALLATION

Section 404.9 Above-ground outdoor piping. Is AMENDED by INSERTING the following sentence after the first sentence of this section to read as follows:

Piping less than 3 ½ inches (152MM) above finish grade shall have a machine applied protective coating in accordance with Section 404.11.2.

Section 404.12 Minimum burial depth. Is AMENDED by DELETING "except as provided for in Section 404.12.1."

Section 404.12.1 Individual outside appliances. Is DELETED in its entirety.

SECTION 503 VENTING OF APPLIANCES

Section 503.6.5 Gas vent termination. Is AMENDED by REVISING item 1 as follows:

1. Gas vents that are 12 inches (305MM) or less in size and located not less than 4 feet (1219MM) from a vertical wall or similar obstructions shall terminate above the roof in accordance with Figure 503.6.5.

SECTION 631 BOILERS

Section 631 Boilers. Is AMENDED by DELETING the text of the entire section and REPLACING it with the following:

Boilers shall be installed in accordance with ARIZONA ADMINISTRATIVE CODE, ARIZONA BOILER RULES, TITLE 20, CHAPTER 5.

SECTION 632 EQUIPMENT INSTALLED IN EXISTING UNLISTED BOILERS

Section 632 Equipment installed in existing unlisted boilers. Is AMENDED by DELETING the text of the entire section and REPLACING it with the following:

Boilers shall be installed in accordance with ARIZONA ADMINISTRATIVE CODE, ARIZONA BOILER RULES, TITLE 20, CHAPTER 5.

9. **THE INTERNATIONAL PROPERTY MAINTENANCE CODE, 2012 EDITION, IS AMENDED AS FOLLOWS (DELETIONS IN STRIKETHROUGH; ADDITIONS IN UNDERLINE):**

1. That certain code entitled, "International Property Maintenance Code," 2012 edition, with all appendices thereto, is hereby adopted as the Property Maintenance Code of the Town of Wickenburg. At least three (3) copies of said code shall be on file in the office of the Town Clerk and shall be kept available for public use and inspection.

2. The following sections of the International Property Maintenance Code, 2012 edition, are hereby revised:

- a. Section 101.1. Insert: Town of Wickenburg.
- b. Section 103.1. Delete in its entirety.
- c. Section 103.5. Delete in its entirety and replace with "The fees for activities and services performed under this code shall be adopted by Resolution of the Town Council of the Town of Wickenburg."
- d. Section 106. Delete in its entirety and replace with "Violations of this code are subject to penalties pursuant to Section 1-8 of the Town Code."
- e. Section 107. Delete in its entirety and replace with:
107.1 Notice to owner and tenant. Whenever the code official determines that there has been a violation of this code or has grounds to believe that a violation has occurred, and prior to taking any action to abate the violation, notice shall be given in the manner prescribed in Section 107.2.1 and 107.3 to the owner and tenant, as applicable, for the violation as specified in this code. If abatement of the existing violation(s) is necessary, a notice of abatement shall be given in the manner prescribed in Sections 107.2.2 and 107.3.
107.2 Notification Forms.
107.2.1 Notice of violation. Such notice of violation prescribed in Section 107.1 shall be in accordance with all of the following:
 1. Be in writing.
 2. Include a description of the real estate sufficient for identification of the property.
 3. Include a statement of the violation(s) and why the notice is being issued.
 4. Include a correction order giving at least thirty (30) days to make the repairs and improvements required to bring the premises, residential and non-residential structures, accessory structures or dwelling unit into compliance with this code.
 5. Inform responsible party that, if the correction order is not complied with, the Town may choose to remove, abate, enjoin or cause the removal of the

violations existing on the property and lien the property with the cost of such abatement in accordance with state law. Such abatement notice shall be given in the manner prescribed in Section 107.2.2.

107.2.2 **Notice of abatement.** A notice of abatement shall be in accordance with all of the following:

1. Be in writing.
 2. Include a description of the real estate sufficient for identification of the property.
 3. Include a statement of the violation(s) and why the notice is being issued.
 4. Include an abatement order giving the owner at least thirty (30) days to make the repairs and improvements required to bring the premises, residential and non-residential structures, accessory structures or dwelling unit into compliance with the provisions of this code, and such notice shall include cost of such abatement in accordance with state law.
 5. Inform the responsible party if the violation is not abated within the time set forth in the notice, the Town will abate the violation and lien the cost of such abatement against the property.
 6. Re-inspection date and time.
 7. Inform the owner, owner's authorized agent or owner's statutory agent and the tenant of the right to appeal the notice to abate or assessment in the manner prescribed by Section 111.1, unless the removal or abatement is ordered by a court.
- 107.3 **Method of service.** Notice shall be deemed to be properly served if a copy thereof is either: 1. Given by personal service to the: (a) owner, owner's authorized agent or owner's statutory agent; and (b) to the tenant (as applicable).

107.3 **Method of service.** Notice shall be deemed to be properly served if a copy thereof is either:

1. Given by personal service to the:
 - (a) owner, owner's authorized agent or owner's statutory agent; and
 - (b) to the tenant (as applicable).
2. Sent by certified mail, return receipt requested addressed to the:
 - (a) owner's last known address, the owner's authorized agent or the owner's statutory agent; and

(b) to the address to which the tax bill for the property was last mailed.

If the notice is returned showing that the certified mail, return receipt requested letter was not delivered, a copy thereof shall be posted in a conspicuous place in or about the structure affected by such notice and the Town may record the notice in the County Recorder's office as provided by state law.

107.4 Unauthorized Tampering. Signs, tags, or seals posted or affixed by the code official shall not be mutated, destroyed or tampered with without authorization of the code official.

f. Section 111. Delete in its entirety and replace with the following:

111.1 Appeal. Any person directly affected by a decision, notice or order issued by the code official, including a notice of assessment or assessment, may appeal such decision, notice or order pursuant to this section. The Town Council shall appoint a Board of Appeals to preside over any such appeal. The Board of Appeals shall consist of three officers who are qualified by experience and training to evaluate matters pertaining to property maintenance and who are not employee of the Town. The Town Council has sole discretion in making appointment to the Board of Appeals and judging the qualifications for service. The right to appeal under this subsection shall not be available to citations, which shall be adjudicated by the Town of Wickenburg Municipal Court pursuant to Town Code and State Law requirements, including any right of appeal to such court decisions as may be applicable by law.

111.2 Process Upon Appeal: Waiver. A written application for appeal shall be filed with the Town Clerk within 30 days after the day the decision, notice or order was served. Failure to timely file an appeal shall constitute a waiver of the right to a hearing of the appeal and such person shall be stopped to deny the validity of any decision, notice, or order which could have been timely appealed.

111.3 Grounds for Appeal. The application for appeal shall set forth the person's reasons for believing that he or she is not in violation of the code; that the provisions of this code do not fully apply; that the rules legally adopted have been incorrectly applied; or other legal error in the decision, notice, or order.

111.4. Procedure on Appeal. Any party may be represented by an attorney and any person whose interests are affected shall be given an opportunity to be heard at the hearing. The Board of Appeals shall conduct the hearing, rule on any procedural matters and objections, and issue a final decision after the hearing. The final decision shall contain findings and conclusions and be provided to the parties within 30 days of the hearing.

g. Section 112.4. Delete in its entirety and replace with "Any person who shall continue any work after having been served with a stop work order, except such work as that person is directed to perform to remove a violation or unsafe condition, shall be liable for a fine as set by the Town Council of the Town of

Wickenburg.

- h. Section 302.4. Insert: “18”.
 - i. Section 303.2. Delete in its entirety.
 - j. Section 304.14. Delete in its entirety.
 - k. Section 404. Delete in its entirety and replace with “Refer to Adopted Building Code for Minimal Sizes.”
 - l. Section 602. Amend by adding “and cooling” after “heating”.
 - m. Section 602.3. Insert: (October 1) (March 31).
 - n. Section 602.3. Add new subparagraph 602.3.1 to read as follows: “Cooling. In addition to the requirements of Section 602.3, Facilities shall be capable of maintaining a temperature of not greater than 80 degrees.”
 - o. Section 602.4. Insert: (October 1) (March 31)
 - p. Amend Chapter 8, referenced standards by (A) deleting the reference to the International Zoning Code and (B) adding a new standard as follows: All references to the International Zoning Code shall be deleted and replaced with “The Town of Wickenburg Zoning Code.”
3. The following section is hereby added to the International Property Maintenance Code, 2012 edition:
- a. Section 405. Nuisance Lights
 - 1. **Purpose, Intent, and Applicability**
 - (A) The purpose of this section is to minimize light pollution and light trespass with the intent of maintaining the integrity of and enjoyable use of property and the night environment by the citizens of the Town of Wickenburg; and
 - (B) Benefiting astronomical research and observations; and
 - (C) Conserving energy while increasing nighttime visibility, utility, and security.
 - (D) This section shall apply to all new construction in all single-family residential zoning districts and shall include any new outdoor lights installed or constructed after the effective date of this ordinance, or existing lights determined to constitute a nuisance.
 - 2. **Standards for Outdoor Residential Lighting**
 - (A) Outdoor lighting shall refer to all sources of light either temporary or permanent that intentionally or incidentally illuminate any area beyond the exterior walls of enclosed structures.
 - (B) All outdoor light fixtures shall be situated or shielded to prevent the light source from being directly visible from a public street, adjacent residence, or adjacent residential zoning district. Shielded shall mean that fixtures are shielded in such a manner that light rays emitted by the fixture, either directly from the lamp or indirectly from the fixture are projected below a horizontal plane running through the lowest point on the fixture where light is emitted.
 - (C) All lighting fixtures shall be so constructed and arranged to reflect light away from any residence or residential zoning district while minimizing to the extent possible, any illumination beyond the

- boundaries of the site on which the lighting is located.
- (D) All light fixtures shall have a full cutoff to mitigate light pollution. Full cutoff shall mean that the light fixture is shielded or constructed so that the light rays emitted by the fixture are projected below a horizontal plane passing through the lowest point on the fixture from which light is emitted. Drop or sag lens type fixtures are prohibited.
- (E) The use of mercury vapor lights is prohibited and shall be deemed illegal. Existing mercury vapor lights are considered a nuisance and shall be removed or replaced as of January 1, 2004.
- (F) Exemptions. This section shall not apply to:
- (1) Portable or temporary lighting used by law enforcement, emergency services personnel or public utilities to protect life or property, or permanent lighting that is deemed necessary in the interest of public safety by the Chief of Police, the Fire Chief, or the Fire Marshal.
 - (2) Field sports lighting in public or semi-public facilities such as municipal parks, public school athletic fields, and rodeo or equestrian arenas.
 - (3) Temporary special event lighting such as Christmas lights, lighting in conjunction with approved carnivals or circuses.
 - (4) Airport lighting.