

ORDINANCE NO. 1000

AN ORDINANCE OF THE MAYOR AND COMMON COUNCIL OF THE TOWN OF WICKENBURG, COUNTY OF MARICOPA, ARIZONA, AMENDING THE TOWN OF WICKENBURG CODE BY AMENDING ORDINANCE NO. 922 ADOPTING THE INTERNATIONAL BUILDING CODE, 2003 EDITION, AND AMENDING SECTION 8-1-1 ADOPTION OF CODES, PARAGRAPH A INTERNATIONAL BUILDING CODE TO ADOPT THE INTERNATIONAL BUILDING CODE, 2006 EDITION, ADDING SUBPARAGRAPHS 1, 2, 3, 4 AND 5, AND ADOPTING FEES FOR GRADING PERMITS; AMENDING ORDINANCE NO. 923 ADOPTING THE INTERNATIONAL RESIDENTIAL CODE, 2003 EDITION, AND AMENDING SECTION 8-1-1 ADOPTION OF CODES BY ADDING PARAGRAPH B RESIDENTIAL BUILDING CODE TO ADOPT THE INTERNATIONAL RESIDENTIAL CODE, 2006 EDITION, AMENDING SECTION 8-1-1, SUBSECTION C ADOPTION OF INTERNATIONAL MECHANICAL CODE, 2006 EDITION, AMENDING SUBSECTION E ADOPTION OF INTERNATIONAL PLUMBING CODE, 2006 EDITION, AMENDING SUBSECTION F ADOPTION OF INTERNATIONAL EXISTING BUILDING CODE, 2006 EDITION, AMENDING SUBSECTION G ADOPTION OF NATIONAL ELECTRIC CODE, 2005 EDITION; AMENDING SECTION 8-1-2 RULES AND DEFINITIONS, SUBSECTIONS A, C, E, F, G AND H, AMENDING SECTION 8-1-3 BOARD OF ADJUSTMENT, SUBSECTION A, AMENDING SECTION 8-1-4 CONTINUITY, AMENDING SECTION 8-1-5 RULES AND REGULATIONS, AMENDING SECTION 8-1-6 PERMITS, SUBSECTION A, AMENDING SECTION 8-1-6 PERMITS, SUBSECTION B, ALL RELATED TO REGULATING AND GOVERNING THE CONDITIONS AND MAINTENANCE OF ALL PROPERTY, BUILDINGS, PUBLIC WORKS PROJECTS, AND STRUCTURES; BY 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 IN THE TOWN OF WICKENBURG; PROVIDING FOR THE ISSUANCE OF PERMITS AND COLLECTION OF FEES THEREFORE; RENUMBERING TO CONFORM; PROVIDING FOR REPEAL OF CONFLICTING ORDINANCES; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR PENALTIES

WHEREAS, the Town Council of the Town of Wickenburg previously adopted Ordinances Nos. 897, 922, 923, and 983 to adopt by reference the various uniform and international codes related to building and construction in the Town; and

WHEREAS, those certain documents, three (3) copies of which are on file in the office of the Town Clerk of the Town of Wickenburg, being marked and designated as the 2006 Editions of the International Building Code, International Residential Code, International Plumbing Code, International Mechanical Code, International Fuel Gas Code, and the International Existing Building Code, and the 2005 Edition of the National Electric Code as published by the International Code Council are hereby declared to be public records.

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

Section I. In General.

Ordinance No. 922 is hereby amended by amending Sections I and II, Paragraph I, and the Code of Wickenburg, Chapter 8 Building, Article 8-1 Building Codes, Section 8-1-1 Adoption of Codes is hereby amended to conform by amending Paragraph A Adoption of Uniform Building Code adding subparagraphs 1, 2, and 3 to read as follows (deleted text appears in ~~strikeout~~; new text in ALL CAPS):

A. Adoption of Uniform INTERNATIONAL Building Code, 2006 EDITION:

1. That a certain document, three (3) copies of which are on file in the office of the Town Clerk of the Town of Wickenburg, being marked and designated as the International Building Code, ~~2003~~ 2006 Edition, including Appendix Chapters ~~(fill in the Appendix Chapter being adopted)~~ (A, B, C, D, E, F, G H, I, J, K,) (SEE IBC CODE SECTION 101.2.1, 2006 EDITION), as published by the International Code Council, be and is hereby adopted as the Building Code of the Town of Wickenburg, ~~County of Maricopa, State of Arizona~~; for regulating and governing the conditions and maintenance of all property, buildings and structures; by 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 as herein provided; providing for the issuance of permits and collection of fees therefore; and each and all of the regulations, provisions, penalties, conditions and terms of said building code on file in the office of the Town of Wickenburg are 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 ~~Section SUBPARAGRAPH 2 of this ordinance.~~
2. The following sections OF THE INTERNATIONAL BUILDING CODE, 2006 EDITION, are hereby revised:

SECTION 101.1	INSERT: TOWN OF WICKENBURG
SECTION 108.2	FEE SCHEDULE AS ADOPTED BY ORDINANCE No. 897
SECTION 1612.3	INSERT: TOWN OF WICKENBURG
SECTION 1612.3.	INSERT TOWN OF WICKENBURG AND FLOOD INSURANCE STUDY DATED JULY-19-2001
SECTION 3410.2.	[INSERT DATE OF ADOPTION]
43. For purposes of assessing building permit fees in accordance with ~~Section 108 of the International Building Code, 2000~~ 2006 edition the computation of valuation shall be based on ~~\$60.00~~ \$90.00 per square foot. [Table No. 3-A remains unchanged.]
24. Insurance work will be evaluated from actual damage to the structure only as determined by the insurer or the Fire Department.
35. Whenever a Building Permit is issued and a building inspection is performed, such building must conform to the provisions of the Zoning Ordinance of the Town in addition to the provisions of this Chapter.
6. THE FEES SET FORTH IN EXHIBIT B SHALL BE THE FEES APPLICABLE TO GRADING PERMITS.

Ordinance No. 923 is hereby amended by amending Sections I and II, and the Code of Wickenburg, Chapter 8 Building, Article 8-1 Building Codes, Section 8-1-1 Adoption of Codes is hereby amended to conform by adding new Paragraph B Adoption of International Residential Code, 2006 Edition by adding Subparagraphs 1, 2, 3, 4 and 5 to read as follows (deleted text appears in ~~strikeout~~; new text in ALL CAPS):

B. ADOPTION OF INTERNATIONAL RESIDENTIAL CODE, 2006 EDITION

1. That a certain document, three (3) copies of which are on file in the office of the Town Clerk of the Town of Wickenburg, being marked and designated as the International Residential Code, ~~2003~~ 2006 Edition, including Appendix Chapters ~~A, B, C, D, E, F, G, H, I, J, K and L~~ A, B, C, D, E, F, G H, I, J, K, L, M, N, O, P, Q) (SEE IRC CODE SECTION R102.5, 2006 EDITION), as published by the International Code Council, be and is hereby adopted as the Residential Code of the Town of Wickenburg, ~~in the State of Arizona~~ for regulating and governing the construction, alteration, movement, enlargement, replacement, repair, equipment, location, removal and demolition of detached one and two family

dwelling and multiple single family dwellings (townhouses) not more than three stories in height with separate means of egress as herein provided; providing for the issuance of permits and collection of fees therefore; and each and all of the regulations, provision, penalties, conditions and terms of said Residential Code on file in the office of the Town of Wickenburg CLERK are 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 ~~Section SUBPARAGRAPH 2 of this ordinance.~~

2. The following sections are hereby revised:

~~Section R101.1. Town of Wickenburg~~
~~Table R301.2(1) Please see Attachment "A" for appropriate design criteria.~~
~~Section P2603.6.1 Insert: 18" Private Septic and 48" building~~
~~Section P3103.1 Insert: 18" in two locations.~~

SECTION R101.1. INSERT: TOWN OF WICKENBURG
TABLE R301.2(1) INSERT EXHIBIT A
SECTION P2603.6.1 INSERT: TWELVE INCHES (12") AND TWELVE INCHES (12")
SECTION P3103.1 INSERT: SIX INCHES (6") AND SIX INCHES (6")

3. INSURANCE WORK WILL BE EVALUATED FROM ACTUAL DAMAGE TO THE STRUCTURE ONLY AS DETERMINED BY THE INSURER OR THE FIRE DEPARTMENT.
4. WHENEVER A BUILDING PERMIT IS ISSUED AND A BUILDING INSPECTION IS PERFORMED, SUCH BUILDING MUST CONFORM TO THE PROVISIONS OF THE ZONING ORDINANCE OF THE TOWN IN ADDITION TO THE PROVISIONS OF THIS CHAPTER.
5. SECTION R102.7 EXISTING STRUCTURES SHALL BE DELETED AND REPLACED WITH THE FOLLOWING:

THE LEGAL OCCUPANCY OF ANY STRUCTURE EXISTING ON THE EFFECTIVE DATE OF THIS CODE SHALL BE PERMITTED TO CONTINUE WITHOUT CHANGE EXCEPT AS SPECIFICALLY PERMITTED IN THIS CODE OR THE INTERNATIONAL FIRE CODE OR AS IS DEEMED NECESSARY BY THE BUILDING OFFICIAL FOR THE GENERAL SAFETY AND WELFARE OF THE OCCUPANTS AND THE PUBLIC.

The Code of Wickenburg, Chapter 8 Building, Article 8-1 Building Codes, Section 8-1-1 Adoption of Codes is hereby amended by repealing Paragraph C Adoption of Uniform Code for the Abatement of Dangerous Buildings.

Ordinance No. 897 is hereby amended by amending Paragraphs B, E, and F and by repealing Paragraph C, and the Code of Wickenburg, Chapter 8 Building, Article 8-1 Building Codes, Section 8-1-1 Adoption of Codes is hereby amended to conform by adding Paragraph F and relettering to conform; by repealing the 2000 Edition of the Uniform Mechanical Code, the 2000 Edition of the Uniform Plumbing Code, the 1999 Edition of the National Electric Code to read as follows (deleted text appears in ~~strikeout~~; new text in ALL CAPS):

~~C. Adoption of Uniform Code for the Abatement of Dangerous Buildings:~~

~~That certain Code entitled, "Uniform Code for the Abatement of Dangerous Buildings", 1997 Edition together with all appendices thereto, published by the International Conference of Building Officials, is hereby adopted as the "Uniform Code for the Abatement of Dangerous Buildings of the Town of Wickenburg" and made a part of this Chapter the same as though said Code was specifically set forth in full herein. 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.~~

BC. Adoption of Uniform INTERNATIONAL Mechanical Code, 2006 EDITION:

1. That certain Code entitled, "~~Uniform~~ INTERNATIONAL Mechanical Code", 2000 2006 Edition, together with all appendices thereto, is hereby adopted as the "~~Uniform~~ INTERNATIONAL Mechanical Code of the Town of Wickenburg" and made a part of this Chapter the same as though said Code was specifically set

forth in full herein. 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. Mechanical Permit Fees shall be as follows: [No change from Ordinance No. 897]

D. Adoption of International Fire Code, 2003 EDITION [No change from Ordinance No. 983]

That certain Code entitled, "International Fire Code", 2003 Edition, together with all appendices thereto, published by the International Conference of Building Officials and Western Fire Chiefs Association, is hereby adopted as the "Uniform Fire Code of the Town of Wickenburg" and made a part of this Chapter the same as though said Code was specifically set forth in full herein. 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.

E. Adoption of Uniform INTERNATIONAL Plumbing Code, 2006 EDITION:

1. That certain Code entitled, "~~Uniform~~ INTERNATIONAL Plumbing Code", ~~2000~~ 2006 Edition, together with all appendices thereto, ~~published by the International Association of Plumbing and Mechanical Officials,~~ as amended in paragraph 2 below, is hereby adopted as the "Uniform Plumbing Code of the Town of Wickenburg" and made a part of this Chapter the same as though said Code was specifically set forth in full herein. 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. Plumbing Permit Fees shall be as follows: [No change from Ordinance No. 897]

3. Evaporative Cooling Systems: All shall be equipped with a re-circulating water pump shall be installed as part of all new or replacement evaporative cooler units.

F. ADOPTION OF INTERNATIONAL EXISTING BUILDING CODE, 2006 EDITION:

THAT CERTAIN CODE ENTITLED, "INTERNATIONAL EXISTING BUILDING CODE", 2006 EDITION, TOGETHER WITH ALL APPENDICES THERETO, IS HEREBY ADOPTED AS THE "INTERNATIONAL EXISTING BUILDING CODE OF THE TOWN OF WICKENBURG" AND MADE A PART OF THIS CHAPTER THE SAME AS THOUGH SAID CODE WAS SPECIFICALLY SET FORTH IN FULL HEREIN. 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.

FG. Adoption of National Electric Code, 2005 EDITION:

1. That certain Code entitled, "National Electric Code", ~~1999~~ 2005 Edition, together with all appendices thereto, published by the National Fire Protection Association, NFPA No. 701990, is hereby adopted as the "Electrical Code of the Town of Wickenburg" and is made a part of this Chapter the same as though said Code was specifically set forth in full herein; and at least three (3) copies of said Code shall be filed in the office of the Town Clerk and kept available for public use and inspection.

2. Electrical Permit Fees shall be as follows: [No change from Ordinance No. 897]

H. ADOPTION OF INTERNATIONAL FUEL GAS CODE, 2006 EDITION:

THAT CERTAIN CODE ENTITLED, "INTERNATIONAL FUEL GAS CODE", 2006 EDITION, TOGETHER WITH ALL APPENDICES THERETO, IS HEREBY ADOPTED AS THE "INTERNATIONAL FUEL GAS CODE OF THE TOWN OF WICKENBURG" AND MADE A PART OF THIS CHAPTER THE SAME AS THOUGH SAID CODE WAS SPECIFICALLY SET FORTH IN FULL HEREIN. 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.

The Code of Wickenburg, Chapter 8 Building, Article 8-1 Building Codes, Section 8-1-2 Rules and Definitions, Subsections A, C, E, F, G and H, Section 8-1-3, Subsection A Board of Adjustment, Section 8-1-4 Continuity, 8-1-5 Rules and Regulations, Section 8-1-6 Permits, Subsection A, Section 8-1-6 Permits, Subsection B are hereby amended, to read as follows (deleted text appears in ~~strikeout~~; new text in ALL CAPS):

- A. The term "~~Uniform Building Codes~~" "INTERNATIONAL BUILDING CODES" as used hereinafter shall mean the codes referred to in section 8-1-1.

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- C. Whenever the terms "governing body" or "city" or "town" or "municipality" are used in the ~~Uniform~~ INTERNATIONAL Building Codes, they shall mean the Town of Wickenburg.

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- E. Whenever the terms "administrative authority", building official" or "administrator") are used in the ~~Uniform~~ INTERNATIONAL Building Codes, it shall mean the building inspector of the Town of Wickenburg.

- F. Whenever the terms "other codes" or "other code" are used in the ~~Uniform~~ INTERNATIONAL Building Codes, they shall mean the other code or other codes adopted by the County of Maricopa and the State of Arizona.

- G. Reference to chapters, articles, sections and subsections or paragraphs and to tables thereof are to the ~~Uniform~~ INTERNATIONAL Building Codes.

- H. Administrative Provisions. Part I of the ~~Uniform~~ INTERNATIONAL Building Code in section 8-1-1 shall be used as the administrative rules for administering this article, except as otherwise hereinafter provided.

Sec. 8-1-3 Board of Adjustment

- A. In order to determine the suitability of alternative materials and methods of construction and to provide for reasonable -interpretations of the provisions of this chapter, there shall be a Board of Adjustment, which shall be that same body established in Section 14-18-1, et seq. of the Code of the Town of Wickenburg. The building official shall be an ex-officio member of the Board, for matters pertaining to the ~~Uniform~~ INTERNATIONAL Building Code and its interpretation. The Board shall adopt reasonable rules and regulations for conducting its investigations and shall render all decisions and findings in writing. The Board of Adjustment shall sit at regular or special meetings and may consider at one and the same meeting matters pursuant to this chapter, as well as matters pursuant to Chapter 14.

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Sec. 8-1-4 Continuity

The ~~International Conference of Building Officials~~ INTERNATIONAL CODE COUNCIL and other publishers identified in section 8-1-1 issues each edition of the ~~Uniform~~ INTERNATIONAL Building Codes periodically which is maintained by annual supplements In order that this article maintains its continuity, it shall be the responsibility of the town administration to review and present all such necessary supplements to the common council for appropriate action.

Sec. 8-1-5 Rules and Regulations

Town administration shall propose to the common council for adoption rules and regulations in the interest of public safety, health and general welfare to implement the provisions of this article and to secure the intent thereof; but no such rules shall have the effect of waiving technical provisions specifically provided in the ~~Uniform~~ INTERNATIONAL Building Codes or of violating accepted engineering practices involving public safety.

Sec. 8-1-6 Permits

* * *

- B. In addition to the requirements of Section ~~301(b)~~ 105 IBC & SECTION R105 IRC of the ~~Uniform~~ INTERNATIONAL Building Code for the application of a permit, the applicant shall also file a signed statement that the applicant is currently licensed to perform the work applied for in the permit under the provisions of ARS 32-1101, et sent, with his license number. If the applicant is exempt from the provisions of that law, the statement shall contain the basis of the asserted exemption and the name and license number of any general, mechanical, electrical or plumbing contractor who will be employed on the work.

Sec. 8-1-11 Amendments to Building Code

The ~~Uniform~~ INTERNATIONAL Building Code of the Town of Wickenburg, 2006 Edition, Section 2109.8, ~~Unburned Clay Masonry~~ ADOBE CONSTRUCTION, shall be amended to read as follows:

18. Alternate methods to those provided in this section (Section ~~2405~~ 2109.8) may be approved pursuant to Section ~~405~~ 104.11 of the ~~Uniform~~ INTERNATIONAL Building Code.
19. Stresses: All masonry of unburned clay units shall be so constructed that the unit stresses do not exceed those set forth in ~~Table No. 24-B~~ SECTION 2109.8.3. Bolt values shall not exceed those set forth in Table No. ~~24-C~~ 2109.8.3.1.

SECTION III. PROVIDING FOR REPEAL OF CONFLICTING ORDINANCES

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.

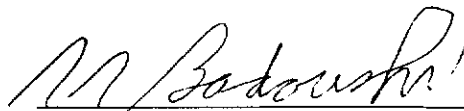
SECTION IV. PROVIDING FOR SEVERABILITY

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 V. PROVIDING FOR PENALTIES

Any person found guilty of violating any provision of this Ordinance shall be subject to the violation and penalty provisions of Section I-8 of the Wickenburg Town Code.

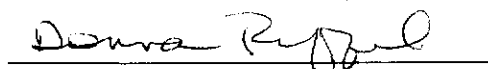
APPROVED, PASSED AND ADOPTED by the Mayor and Common Council of the Town of Wickenburg, Arizona, this 7 day of April, 2008.


R.R. Badowski, Mayor

Date Signed: 4/15/08

Date Signed: 4-15-08

ATTEST:


Donna Riffel, Town Clerk

APPROVED AS TO FORM:


Susan D. Goodwin, Town Attorney
Curtis, Goodwin, Sullivan, Udall & Schwab P.L.C.

Number of Councilmembers Present: 7
Number of Votes For: 7
Number of Votes Against: 0
Number of Abstentions: 0

CERTIFICATION

I, Donna Riffel, Town Clerk, HEREBY CERTIFY that the foregoing Ordinance No. 1000 was duly passed and adopted by the Mayor and Common Council of the Town of Wickenburg, Arizona, at a Regular meeting held on the 7th day of April 2008, and that a quorum was present at the meeting.

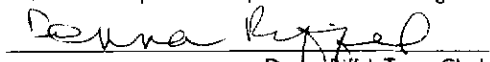

Donna Riffel, Town Clerk

EXHIBIT A

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

Ground Snow Load	Wind Speed (mph)	Seismic Design Category	SUBJECT TO DAMAGE FROM				Winter Design Temp.	Ice Barrier Underlayment Required	Flood Hazards	Air Freezing Index	Mean Annual Temp.
			Weathering	Frost Depth	Line	Termite					
0	90	B	Negligible	12"		Moderate to Heavy	32° F	0	Jurisdiction Specific	0	66.7° F

EXHIBIT B

GRADING FEE SCHEDULE

<50 Cubic Yards	No Charge
51 to 100 Cubic Yards	\$25.00
101 to 1,000 Cubic Yards	\$50.00
1,001 to 5,000 Cubic Yards	\$100.00
5,001 or more Cubic Yards	\$150.00