

ORDINANCE NUMBER 662

AN ORDINANCE OF THE MAYOR AND CITY COUNCIL OF THE CITY OF COTTONWOOD, YAVAPAI COUNTY, ARIZONA, AMENDING TITLE 15, BUILDINGS AND CONSTRUCTION, OF THE MUNICIPAL CODE TO UPDATE THE CITY'S UNIFORM BUILDING, FIRE AND TECHNICAL CODES.

WHEREAS, the City Council passed and adopted Resolution Number 2997 on the 7th day of May 2019, declaring as a public record certain documents titled, Administration of the International Building Code, 2018 Edition; International Building Code, 2018 Edition; Amendments Made in the International Building Code; International Residential Code, 2018 Edition; International Fuel Gas Code, 2018 Edition; International Existing Building Code, 2018 Edition, International Energy Conservation Code, 2018 Edition; International Plumbing Code; 2018 Edition; National Electrical Code, 2017 Edition; International Mechanical Code, 2018 Edition; International Fire Code, 2018 Edition; and Amendments to International Fire Code, 2018 Edition; three copies of which are on file in the office of the City Clerk.

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF COTTONWOOD, YAVAPAI COUNTY, ARIZONA, THAT TITLE 15, BUILDINGS AND CONSTRUCTION, OF THE MUNICIPAL CODE OF THE CITY OF COTTONWOOD IS HEREBY AMENDED AS FOLLOWS:

Section 1: That Section 15.08.010 Administration of the International Building Code, 2012 Edition, is deleted in its entirety and a new Section 15.08.010 Administration of the International Building Code, 2018 Edition, is hereby added as follows:

15.08.010 Administration of the International Building Code, 2018 Edition – Adopted.

There is hereby adopted by reference, that certain document known as Chapter 1 Administration of the International Building Code, 2018 Edition, as published by the International Code Council. Said document is hereby amended and adopted as the Administrative Building Code for the City of Cottonwood 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 the various Technical Codes and Ordinances. Providing procedures for enforcement thereof; providing the severability of each and all

conditions and terms of the City of Cottonwood Administrative Building Code are hereby referred to, adopted, and made a part hereof as set forth herein, excepting such portions as are hereinafter deleted, modified or amended.

Section 2: That Section 15.08.020 International Building Code, 2012 Edition, is deleted in its entirety and a new Section 15.08.020 International Building Code, 2018 Edition, is hereby added as follows:

15.08.020 International Building Code, 2018 Edition – Adopted.

There is hereby adopted by reference, that certain document known as the International Building Code, 2018 Edition, including Appendixes C, G, H, I and J as published by the International Code Council. Said document is hereby amended and adopted as the Building Code for the City of Cottonwood providing for the regulation of the erection, construction, enlargement, alteration, repair, moving, demolition, conversion, occupancy, and each and all such regulations, provisions, penalties, conditions and terms of the International Building Code, 2018 Edition, including Appendixes C, G, H, I and J are hereby referred to, adopted, and made a part hereof as set forth herein, excepting such portions as are hereinafter deleted, modified or amended.

Section 3: That a new Section 15.08.021 Amendments made in the International Building Code, is hereby added as follows:

15.08.021 - Amendments made in the International Building Code.

The International Building Code is amended as follows:

A. Section 101.1 Title.

These regulations shall be known as the Building Code of City of Cottonwood, hereinafter referred to as, "this code".

B. 105.2 Work exempt from permit.

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 200 square feet.

C. SECTION 1101.2 - Design is hereby deleted in its entirety and revised to read as follows:

1101.2 - Design. Buildings and facilities shall be designed and constructed to the more restrictive of the following adopted regulations and technical codes:

1. The 2010 Standards for State and local governments, which consist of Title II regulations of 28 CFR 35.15 and 2004 ADAAG of 36 CFR part 1191, appendices B and D;
2. The 2010 Standards for public accommodations and commercial facilities, which consist of the Title III regulations of 28 CFR 36 subpart D and the 2004 ADAAG of 36 CFR part 1191, Appendices B and D;
3. This code;
4. ICC A117.1-09.

D. SECTION 2902 – MINIMUM PLUMBING FACILITIES

2902.1 – Minimum number of fixtures is hereby amended by the addition of footnote “h” to Table 2902.1 to read as follows:

2902.1 – Minimum number of fixtures.

- h. Water coolers or bottled water dispensers may be substituted for drinking fountains in B, M, and S occupancies with twenty-five (25) or fewer occupants. Such water shall be free of charge to the public.

2902.2 – Separate facilities, exceptions are amended to read as follows:

2902.2 – Separate facilities.

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 employees and customers, of twenty-five (25) or less.
3. Separate facilities shall not be required in mercantile occupancies in which the maximum occupant load is one hundred (100) or less.

Section 4: That existing Section 15.08.060 International Residential Code, 2012 Edition—Adopted, is hereby deleted in its entirety and a new Section 15.08.060 International Residential Code, 2018 Edition—Adopted, is hereby added as follows:

15.08.060 - International Residential Code, 2018 Edition—Adopted.

There is hereby adopted by reference, that certain document known as the

International Residential One and Two-Family Dwelling Code, 2018 Edition, including Appendixes A, B, C, G, H, J, O, P and Q, as published by the International Code Council. Said document is hereby amended and adopted as the Building Code for One- and Two-Family Dwellings for the City of Cottonwood. Providing for the regulation of the erection, construction, enlargement, alteration, repair, moving, demolition, conversion, occupancy, and each and all such regulations, provisions, penalties, conditions, and terms of the International Residential One- and Two-Family Dwelling Code, 2018 Edition, including Appendixes A, B, C, G, H, J, O, P and Q are hereby referred to, adopted, and made a part hereof as set forth herein, excepting such portions as are hereinafter deleted, modified or amended.

The International Residential Code is amended as follows:

A. SECTION R101 -GENERAL

SECTION R101.1 - Title is amended by the insertion of "City of Cottonwood".

B. SECTION R506 - CONCRETE FLOORS (ON GROUND)

SECTION R 506.2.3 Vapor Retarder is hereby deleted in its entirety.

Section 5: That existing Section 15.08.070 International Fuel Gas Code, 2012 Edition is deleted in its entirety and a new Section 15.08.070 International Fuel Gas Code, 2018 Edition, is hereby added as follows:

15.08.070 - International Fuel Gas Code, 2018 Edition – Adopted.

There is hereby adopted by reference, that certain document known as International Fuel Gas Code, 2018 Edition, including Appendixes A, B, and C, as published by the International Code Council, Inc. Said document is hereby amended and adopted as the Fuel Gas Code for the City of Cottonwood providing for the regulating, installation and maintenance of fuel gas piping systems, fuel gas utilization equipment and related accessories, and each and all such regulations, provisions, penalties, conditions and terms of the International Fuel Gas Code, 2018 Edition, including Appendixes A, B, and C, are hereby referred to, adopted and made a part hereof as set forth herein, excepting such portions as are hereinafter deleted, modified or amended.

Section 6: That existing Section 15.08.080 International Existing Building Code, 2012 Edition is deleted in its entirety and a new Section 15.08.080, International Existing Building Code 2018 Edition--Adopted, is hereby added as follows:

15.08.080 - International Existing Building Code, 2018 Edition – Adopted.

There is hereby adopted by reference, that certain document known as the International

Existing Building Code, 2018 Edition, including Appendixes A, B, and C, as published by the International Code Council. Said document is hereby amended and adopted as the Existing Building Code for the City of Cottonwood. Providing for the regulation of the repair, alteration, addition, and relocation of existing buildings, and each and all such regulations, provisions, penalties, conditions, and terms of the International Existing Building Code, 2018 Edition, including Appendixes A, B, and C, are hereby referred to, adopted, and made a part hereof as set forth herein, excepting such portions as are hereinafter deleted, modified or amended.

Section 7: That existing Chapter 15.10.010, International Energy Code, 2012 Edition, is deleted in its entirety and a new Chapter 15.10.010 International Energy Conservation Code, 2018 Edition, is hereby added as follows:

Chapter 15.10 ENERGY CODE

15.10.010 - International Energy Conservation Code, 2018 Edition - Adopted.

There is hereby adopted by reference, that certain document known as International Energy Conservation Code, 2018 Edition, as published by the International Code Council, Inc. Said document is hereby amended and adopted as the Energy Code for the City of Cottonwood providing for the effective use and conservation of energy and all such regulations, provisions, penalties, conditions and terms of the International Energy Conservation Code, 2018 Edition, are hereby referred to, adopted and made a part hereof as set forth herein, excepting such portions as are hereinafter deleted, modified or amended.

Section 8: That Chapter 15.12 Plumbing Code, is hereby amended by deleting Section 15.12.010 International Plumbing Code, 2012 Edition, in its entirety and adding a new Section 15.12.010 International Plumbing Code, 2018 Edition, as follows:

15.12.010 - International Plumbing Code, 2018 Edition – Adopted.

There is hereby adopted by reference, that certain document known as the International Plumbing Code, 2018 Edition including Appendixes B, C, D, and E as published by the International Code Council. Said document is hereby amended and adopted as the plumbing code for the City of Cottonwood for regulating the installation, maintenance, and repair of plumbing, drainage systems, water systems, gas systems, and each and all such regulations, provisions, penalties, conditions and terms of the International Plumbing Code, 2018 Edition including Appendixes B, C, D, and E are hereby referred to, adopted and made a part hereof as set forth herein, excepting such portions as are hereinafter deleted, modified, or amended.

Section 9: That Chapter 15.16 Electrical Code, is hereby amended by deleting Section 15.16.010 National Electrical Code, 2011 Edition, in its entirety and a new Section

15.15.010 National Electrical Code, 2017 Edition, is hereby added as follows:

Section 15.16.010 National Electrical Code, 2017 Edition – Adopted.

There is hereby adopted by reference, that certain document known as the National Electrical Code, 2017 Edition as published by the National Fire Protection Association. Said document is hereby amended and adopted as the Electrical Code for the City of Cottonwood for regulating the installation, maintenance, operation and repair of all electric wiring and electrical apparatus of any nature whatsoever, whether inside or outside of any building or structure and each and all such regulations, provisions, penalties, conditions and terms of the National Electrical Code, 2017 Edition are hereby referred to, adopted, and made a part hereof as set forth herein, excepting such portions as are hereinafter deleted, modified or amended.

Section 10: That Chapter 15.20 - Mechanical Code is hereby amended by deleting Section 15.20.010 International Mechanical Code, 2012 Edition, in its entirety and a new Section 15.20.010 International Mechanical Code, 2018, is hereby added as follows:

Section 15.20.010, International Mechanical Code, 2018 Edition - Adopted.

There is hereby adopted by reference, that certain document known as International Mechanical Code, 2018 Edition including Appendix A, as published by the International Code Council, Inc. Said document is hereby amended and adopted as the Mechanical Code for the City of Cottonwood providing the regulating, installation and maintenance of heating, ventilating, cooling and refrigeration systems, and each and all such regulations, provisions, penalties, conditions and terms of the International Mechanical Code, 2018 Edition, including Appendix A are hereby referred to, adopted and made a part hereof as set forth herein, excepting such portions as are hereinafter deleted, modified or amended.

Section 11: That Chapter 15.24 Fire Code is hereby deleted in its entirety and a new Chapter 15.24 Fire Code, Section 15.24.010 International Fire Code, 2018 Edition, and Section 15.24.020 Amendments to International Fire Code, 2018 Edition, are hereby added as follows:

Chapter 15.24 - FIRE CODE

Section 15.24.010, International Fire Code, 2018 Edition - Adopted.

There is hereby adopted by reference, the International Fire Code, 2018 Edition, including Appendixes B, C, D, E, H, and I published by the International Code Council. Said document is hereby amended and adopted as the Fire Code for the City of Cottonwood providing regulation for the safeguarding of life and property from fire and explosion hazards arising from the storage, handling and use of hazardous substances,

materials and devices, and from conditions hazardous to life or property in the occupancy of buildings and premises in the City of Cottonwood; providing for the issuance of permits and collection of fees therefore; repealing Ordinance #564 of the City of Cottonwood and all other ordinances and parts of the ordinances in conflict therewith.

Section 15.24.020 Amendments to International Fire Code, 2018 Edition - Adopted.

The International Fire Code, 2018 Edition, is amended as follows:

**CHAPTER 1
SCOPE AND ADMINISTRATION**

Section 105.6.2 Amusement building: is amended by adding the following:

Amusement buildings *and events*. An operational permit is required for any amusement buildings or events. All Haunted Houses, indoor mazes etc; shall be required to have a fully operational and functional Fire Sprinkler and Smoke Detection system installed. Any amendments shall be approved by the Fire Code Official

Section 109.4 Violation penalties: is amended as follows:

Persons who shall violate a provision of this code or shall fail to comply with any of the requirements thereof or who shall erect, install, alter, repair or do work in violation of the approved construction documents or directive of the fire code official, or of a permit or certificate used under provisions of this code, shall be guilty of a misdemeanor, punishable by a fine of not more than five hundred dollars (\$500). Each day that a violation continues after due notice has been served shall be deemed a separate offense.

**CHAPTER 3
OPEN FLAMES**

Section 308.1.6 Open Flame Devices is amended as follows:

Torches and other devices, machines or processes liable to start and or cause a fire shall not be operated or used in high fire risk areas or high risk fire seasons within the City of Cottonwood, this will include to prohibit the use of all aerial Fireworks (Exception: Public Fireworks displays permitted by fire code official) and aerial Sky Lanterns that are made of materials that can easily catch on fire. These provisions shall meet other requirements as listed in Chapter 56 of the International Fire Code.

Section 308.1.6.3 Sky Lanterns is amended as follows:

Sky Lanterns are prohibited with the City of Cottonwood

**CHAPTER 4
EMERGENCY PLANNING AND PREPAREDNESS**

Section 403.1 Fire Watch Personnel is amended by adding the following:

Qualifications of Fire watch/standby personnel shall be capable of performing the duties as listed in Section 403.1.1 and shall be Arizona State Certified Firefighters or other qualified individuals as approved by the Fire Code Official.

Section 404.2 Where required is amended as follows:

An approved fire safety and evacuation plan shall be prepared and maintained for the following occupancies and buildings:

5. Group H, ADDING: "(with more than 20 employees)."

CHAPTER 5 FIRE SERVICE FEATURES

Section 505.1 Address identification is amended as follows:

New and existing buildings shall have approved address numbers, building numbers or building identification placed in a position that is plainly legible and visible from the street or road fronting the property. These numbers shall contrast with their background. Address numbers shall be Arabic numbers or alphabetical letters. Numbers shall be a minimum of 6 inches high with a minimum stroke width of *0.5 inch*. Larger numbers may be required by the fire code official to facilitate emergency response.

CHAPTER 9 FIRE PROTECTION SYSTEMS

Section 901.2 Construction documents is amended by adding the following:

Automatic sprinkler system plans shall be submitted bearing a review certification and signature of a minimum level III NICET Certified Engineering Technician or Arizona registrant. Fire sprinkler plans for high-piled combustible storage occupancies shall require a registered fire protection engineer stamp. Fire alarm system plans shall be submitted bearing a review certification and signature of a minimum level III NICET Technician or Arizona registrant.

Sections 903.2 - 903.2.11.3 Where required: are deleted and replaced with:

Section 903.2 Approved automatic fire sprinkler systems - Where required:

An automatic fire sprinkler system shall be installed throughout any:

- H, I & R occupancy.
- Multistory structure (including basements).
- A, B, E, F, M, S & U occupancy of more than 1,000 square feet.
- Structure where the required fire flow can not be provided.
- At any other time as determined by the Fire Code Official.

Such systems shall be designed and installed in accordance with:

- IFC standard 903.3.1.1 (NFPA 13) for Group A, B, E, F, H, I, M, R, S and U occupancies,
- IFC standard 903.3.1.2 (NFPA 13-R) for residential occupancies four stories or less, and
- IFC standard 903.3.1.3 (NFPA 13-D) for R-3 & R-4 occupancies (one- and two-family dwellings).

Exceptions:

1. Detached non-combustible carports or shade canopies.
2. Detached non-combustible canopies used exclusively for automotive, motor fuel-dispensing stations for private passenger vehicles not exceeding 5,000 square feet.
3. When in the opinion of the Fire Code Official, and subject to the approval of the Building Official, fire sprinklers may be omitted in rooms or areas as follows:
 - When sprinklers are considered undesirable because of the nature of the contents or in rooms or areas, which are of noncombustible construction with wholly noncombustible contents and, which are not exposed by other areas. Fire sprinklers shall not be omitted from any room merely because it is damp, of fire-resistive construction or if it contains electrical equipment. *(i.e. Sprinklers shall not be installed when the application of water, or flame and water may constitute a serious life or fire hazard, as in the manufacture or storage of quantities of aluminum powder, calcium carbide, calcium phosphide, metallic sodium, and potassium, quicklime, magnesium powder and sodium peroxide.)*
 - Safe deposit or vaults of fire-resistive construction, when used for the storage of records, files and other documents, when stored in metal cabinets.
 - Communications equipment areas under the exclusive control of a public communications utility agency provided it is installed in accordance with NFPA standards.
 - Other approved automatic fire-extinguishing systems may be installed to protect special hazards or occupancies in lieu of automatic fire sprinklers.

Existing buildings:

Existing buildings (occupancies) are required to comply with the provisions of 903.2 when any of the following apply:

1. One or more additions are made to any occupancy and the aggregate of the addition(s) exceeds 50% of the square footage of the original building (at the time of this ordinance) or 1,000 square feet, whichever is less; or an occupancy which undergoes a partial or complete renovation when the cost of the renovation exceeds 50% of the value of the original building as

determined by the current "Building Fee Schedule Cost Per Square Foot" table published by the International Code Council and adopted by the City of Cottonwood.

2. Any structure over 1000 square feet, regardless of occupancy classification, and all R occupancies, which are relocated to a new site, shall require a Fire Sprinkler system to be installed throughout the building in accordance with the applicable NFPA standards for the building classification.
3. Any addition or renovation to a building, or occupancy classification change, which results in a structure that exceeds the available fire flow.
4. Any addition or renovation to a building or an occupancy classification change, when it is determined by the Fire Code Official to present a greater risk of fire or danger to the safety of occupants than before the addition, change or occupancy classification change.
5. Any building undergoing a change of occupancy when the new occupancy classification is H, I, R or any mixed use which includes an R occupancy, F1 & S1 occupancies in excess of 1500 square feet and A1, A2 & A3 occupancies with an occupant load of greater than 100 persons. .

Section 903.4 Sprinkler system monitoring and alarms: is amended as follows:

All valves controlling the water supply for automatic sprinkler systems, pumps, tanks, water levels and temperatures, critical air pressures, and water-flow switches on all sprinkler systems shall be electrically supervised.

Exceptions:

1. Systems serving fewer than 100 sprinklers. REPLACING "20" sprinklers.

CHAPTER 56 EXPLOSIVES AND FIREWORKS

5601.2.4 Financial Responsibility: is amended as follows:

Before a permit is issued, as required by Section 5601.2, the applicant shall file with the jurisdiction a corporate surety bond in the principal sum of \$5,000,000 (five million dollars) or a public liability insurance policy for the same amount, for the purpose of the payment of all damages to persons or property which arise from, or are caused by, the conduct of any act authorized by the permit upon which any judicial judgment results. The fire code official is authorized to specify a greater or lesser amount when, in his or her opinion, conditions at the location of use indicate a greater or lesser amount is required. Government entities shall be exempt from this bond requirement. REPLACING "\$100,000".

Section 5601.2.4.1 Blasting is added as follows:

Before approval to do blasting is issued, the applicant for approval shall file a bond or submit a certificate of insurance in the amount of \$5,000,000 (five million dollars) in each case to indemnify the City of Cottonwood against any and all damages arising from permitted blasting. All blasting permit applicants shall have a valid Certificate of Fitness card issued by a jurisdiction deemed acceptable by the Fire

Code Official.

5601.4 Qualifications: is added as follows:

A current pyrotechnics Shooters Certificate or Certificate of Fitness for pyrotechnics issued by the City of Phoenix or the City of Tucson be held by at least one individual on the shooting crew during the fireworks display.

APPENDIX C FIRE HYDRANT LOCATIONS & DISTRIBUTION

TABLE C102.1: is amended by adding the following:

Average spacing between hydrants and maximum distance from any point on street may be increased by 100% for building protected with Automatic Fire Sprinklers.

Section 12: That Chapter 15.28 International Property Maintenance Code, 2012 is hereby deleted in its entirety and a new Chapter 15.28 International Property Maintenance Code, 2018, Section 15.28.010 International Property Code, 2018 Edition, and Section 15.24.011 Amendments to International Property Code, 2018 Edition, are hereby added as follows:

15.28.010 - International Property Maintenance Code, 2018 Edition – Adopted.

There is hereby adopted by reference, that certain document known as the International Property Maintenance Code, 2018 Edition, as published by the International Code Council. Said document is hereby amended and adopted as the Property Maintenance Code for the City of Cottonwood 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 existing 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 the City of Cottonwood Property Maintenance Code are hereby referred to, adopted, and made a part hereof as set forth herein, excepting such portions as are hereinafter deleted modified or amended.

15.28.011 - Amendments made in the International Property Maintenance Code.

The International Property Maintenance Code amendment of Chapter 3, General Requirements is amended as follows:

A. Section 302, Exterior Property Areas subsection 302.4 Weeds, is hereby deleted in its entirety.

Section 13: That at least three (3) copies of the codes with amendments thereto shall be filed in the Office of the City Clerk for public use and inspection.

Section 14: Severability: That if any section, subsection, sentence, clause, phrase or portion of this ordinance adopted herein is for any reason held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such a decision shall not affect the validity of the remaining portions thereof.

PASSED AND ADOPTED BY THE CITY COUNCIL AND APPROVED BY THE MAYOR OF THE CITY OF COTTONWOOD, YAVAPAI COUNTY, ARIZONA. THIS 21ST DAY OF MAY 2019.



Tim Elinski, Mayor

APPROVED AS TO FORM:

ATTEST:



Steven B. Horton, Esq.
City Attorney



Marianne Jiménez, City Clerk

Publish: Verde Independent; May 24 & 26, 2019.