

OFFICE OF THE CITY ATTORNEY
PEORIA CITY CODE (1992)
CITY OF PEORIA, ARIZONA
 Code Supplement Instruction Sheet
THESE REPLACEMENT PAGES ARE PROVIDED TO YOU
FOR YOUR COPY OF THE PEORIA CITY CODE (1992)

Includes:
Ordinance 2012-08 Dated May 1, 2012
Ordinance 2011-26 Dated December 6, 2011

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Pages that are being replaced by this supplement should be carefully removed and discarded and the new pages provided should be placed immediately into your code book. It is recommended that this instruction sheet be saved and filed at the back of your copy of the code book. Care should be taken to ensure that your copy remains accurate. If you should have any questions regarding the proper procedures for removing/inserting these pages, please call our office to request assistance.

If you cannot locate the code volume that matches the serial number assigned to this update, please contact the City of Peoria, Office of the City Attorney, at (623) 773-7330 for assistance in locating the volume.

OFFICE OF THE CITY ATTORNEY

PEORIA CITY CODE (1992)
CITY OF PEORIA, ARIZONA

Code Supplement Reference Sheet

**THIS REFERENCE PAGE IS PROVIDED TO YOU
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The Reference Page is a check list of all issued supplements and is designed to assist you in ensuring that your copy of the code is current.

The Peoria City Code (1992) was issued on December 31, 1992. At the time of issuance the code was current through December 31, 1991. Four supplements a year are issued for the City Code on a quarterly basis: Jan. - Mar., April - June, July - Sept., Oct. - Dec. Each supplement is given a three digit number. The first digit reflects the year of the supplement. The second two digits reflect the quarter of the year that the supplement updates.

For example, the supplement for Jan - Mar. 1992 is numbered 201, the supplement for April -June is numbered 202 and etc. up and through supplement 804. Beginning in 1999 all supplements are numbered 1999-1, 1999-2, 1999- 3, 1999-4 with the year and quarter being indicated.

The following list is a date of issuance of the supplements to the code that have been issued to date. If you are missing a supplement, please check our website at www.peoriaaz.gov/citycode and select City Code Supplement on the left-hand side of the screen and then choose the appropriate supplement.

Supplement Number	Date of Issuance	Period Covered
201	August 5, 1994	Jan. - March, 1992
202	September 30, 1994	April - June, 1992
203	October 31, 1994	July - Sept., 1992
204	January 31, 1995	Oct. - Dec., 1992
301	March 31, 1995	Jan. - March, 1993
302	May 31, 1995	April - June, 1993
303	May 31, 1995	July - Sept., 1993
304	July 31, 1995	Oct. - Dec., 1993

401	September 30, 1995	Jan. - March, 1994
402	November 30, 1995	April - June, 1994
403	January 31, 1996	July - Sept., 1994
404	March 31, 1996	Oct. - Dec., 1994
501	May 31, 1996	Jan. - March, 1995
502	July 31, 1996	April - June, 1995
503	September 30, 1996	July - Sept., 1995
504	November 30, 1996	Oct. - Dec., 1995
601	January 31, 1997	Jan. - March, 1996
602	March 31, 1997	April - June, 1996
603	May 31, 1997	July - Sept., 1996
604	July 31, 1997	Oct. - Dec., 1996
701	September 30, 1997	Jan. - March, 1997
702	November 30, 1997	April - June, 1997
703	January 31, 1998	July - Sept., 1997
704	March 31, 1998	Oct. - Dec., 1997
801	April 30, 1998	Jan. - March, 1998
802	July 31, 1998	April - June, 1998
803	October 31, 1998	July - Sept., 1998
804	January 31, 1999	Sept. - Dec., 1998
1999-1	April 30, 1999	Jan - March, 1999
1999-2	July 31, 1999	April - June, 1999
1999-3	September 30, 1999	July - Sept. 1999
1999-4	January 31, 2000	Oct. - Dec. 1999
2000-1	April 30, 2000	Jan. - March 2000
2000-2	July 31, 2000	April - June 2000
2000-3	October 31, 2000	July - Sept. 2000
2000-4	January 31, 2001	Oct.- Dec. 2000

2001-1	April 30, 2001	Jan – March 2001
2001-2	July 31, 2001	April – June 2001
2001-3	October 31, 2001	July – Sept. 2001
2001-4	January 31, 2002	Oct. – Dec. 2001
2002-1	April 30, 2002	Jan – March 2002
2002-2	July 31, 2002	Apr – June 2002
2002-3	October 31, 2002	July – Sept. 2002
2002-4	January 31, 2003	Oct. – Dec. 2002
2003-1	April 30, 2003	Jan – March 2003
2003-2	July 31, 2003	Apr – June 2003
2003-3	October 31, 2003	July – Sept 2003
2003-4	January 31, 2004	Oct – Dec. 2003
2004-1	April 30, 2004	Jan – March 2004
2004-2	July 31, 2004	Apr – June 2004
2004-3	October 31, 2004	July – Sept 2004
2004-4	January 31, 2005	Oct – Dec 2004
2005-1	April 30, 2005	Jan – March 2005
2005-2	July 31, 2005	April - June 2005
2005-3	October 31, 2005	July-Sept 2005
2005-4	January 31, 2006	Oct –Dec 2005
2006-1	April 30, 2006	Jan-March 2006
2006-2	July 31, 2006	April – June 2006
2006-3	October 31, 2006	July – Sept 2006
2006-4	January 31, 2007	Oct – Dec 2006
2007-1	April 30, 2007	Jan-March 2007
2007-2	July 31, 2007	April – June 2007
2007-3	October 31, 2007	July-Sept 2007
2007-4	January 31, 2008	Oct – Dec 2007
2008-1	April 30, 2008	Jan-March 2008

2008-2	July 31, 2008	April – June 2008
2008-3	October 31, 2008	July – Sept 2008
2008-4	January 31, 2009	Oct. – Dec. 2008
2009-1	April 30, 2009	Jan. – March 2009
2009-2	July 31, 2009	April – June 2009
2009-3	October 31, 2009	July – Sept. 2009
2009-4	January 31, 2009	Oct. – Dec 2009
2010-01	April 30, 2010	Jan. – March 2010
2010-02	July 31, 2010	April – June 2010
2010-03	October 31, 2010	July – Sept. 2010
2010-04	January 31, 2011	Oct. – Dec. 2010
2011-1	April 30, 2011	Jan. – March 2011
2011-2	July 31, 2011	April – June 2011
2011-3	October 31, 2011	July – Sept. 2011
2011-4	January 31, 2012	Oct. – Dec. 2011
2012-1	April 30, 2012	Jan. – March 2012
2012-2	July 31, 2012	April – June 2012

WORDCODE SUPP\SUPPLEMENT CHECKLIST

Chapter 5

BUILDINGS AND BUILDING REGULATIONS¹

¹Cross reference(s)-Fire prevention code, §9-31 et seq.; dangerous construction, §13-43; planning and development, Ch. 20; subdivision regulations, Ch. 24; zoning, Ch. 26.

State law reference(s)-General authority to regulate buildings and construction, A.R.S. §§ 9-240(B)(7), 9-276(A)(14), (A)(15), 9-499.01; applicability of local building regulations to public buildings, A.R.S. §34-461.

CHAPTER 5 – BUILDINGS AND BUILDING REGULATIONS

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CHAPTER 5 – BUILDINGS AND BUILDING REGULATIONS

Sec. 5-1. Building official.

The office of building official and administrative authority as referenced in this chapter for all matters pertaining to any building, plumbing, electrical or any other inspections shall be vested in the office of the city manager. The city manager may authorize deputies or city employees to perform any function that may be required by this chapter.

(Code 1977, art. 8-9)

Sec. 5-2. Right-of-way infringements.

Existing structures abutting city rights-of-way may, as part of a city-approved plan for remodeling for improvement of the appearance of structures, infringe upon the city right-of-way subject to the following limitations:

(1) No enlargement of the floor area or usable space of the subject building shall result because of infringement.

(2) Infringement within eight (8) feet of the surface or ground shall not extend more than four (4) inches upon the right-of-way, and no infringement shall extend upon or over any actual street, alley, utility easement or private property.

(3) Encroachments will be for the sole purpose of improving the aesthetic value of existing structures and shall be limited to cornices, roofs, ledges, eyebrows, facings, stucco or veneer, but shall not include protruding signs, display windows or doors.

(4) Building additions may include infringements, subject to the limitations of this section, if necessary for the conformance with aesthetic improvements existing, or being constructed, across the face of an existing structure.

State law reference(s) -- Authority to prohibit and remove encroachments, A.R.S. §§ 9-240(B)(3), 9-276(A)(2), (A)(6), 9-499.01.

(Code 1977, art. 8-10)

Sec. 5-3. International Energy Conservation Code – Adopted and Amended.

(A) A certain document, one copy of which is on file in the City Clerk's Office of the City of Peoria, being marked and designated as "International Energy Conservation Code, 2012 Edition," published by the International Code Council, Inc., is hereby adopted, as amended herein, as the Energy Conservation Code of the City of Peoria.

(B) The International Energy Conservation Code, 2012 Edition, is amended as follows:

Amend Section C101 (Commercial Provisions) as follows:

C101.2 Scope. Delete in its entirety and add as follows:

CHAPTER 5 – BUILDINGS AND BUILDING REGULATIONS

This code applies to commercial buildings and the building sites and associated systems and equipment on a voluntary participation basis.

Charter reference(s) -- Adoption by reference, art. VII, § 14.

State law reference(s) -- Adoption by reference, A.R.S. § 9-801 et seq.

(Code 1977, § 8-13-1)

(Ord. No. 90-37, 8/28/90, 1988 edition adopted)

(Ord. No. 95-21, 5/2/95, 1994 edition adopted)

(Ord. No. 98-108, 10/6/98, 1997 edition adopted)

(Ord. No. 04-22, 5/16/04, Amended) SUPP 2004-2

(Ord. No. 2012-08, 5/1/12, Repealed and Adopted) SUPP 2012-2

Section 5-4. International Property Maintenance Code – Adopted and Amended.

(A) A certain document, one copy of which is on file in the City Clerk’s Office of the City of Peoria, being marked and designated as “International Property Maintenance Code, 2012 Edition,” published by the International Code Council is hereby adopted, as amended herein, as the Code for establishing the minimum regulations governing the conditions and maintenance of property, buildings, and structures within the City of Peoria.

(B) The International Property Maintenance Code, 2012 Edition, is amended as follows:

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

Amend Section 101.1 Title, by inserting the words “City of Peoria” as the name of the jurisdiction.

Amend Section 102.3 Application of other codes, by replacing the section in its entirety with the following:

102.3 Application of other codes. Repairs, additions or alterations to a structure, or changes of occupancy, shall be done in accordance with the procedures and provisions of the Peoria City Code. Nothing in this code shall be construed to cancel, modify, or set aside any provision of the Peoria City Code.

Amend Section 103.5 Schedule of fees by deleting it in its entirety.

Amend Section 111, Means of Appeal, by deleting Sections 111.2 through 111.8.

Chapter 3, “General Requirements”, is hereby amended as follows:

Amend Section 302.4 Weeds, by inserting “six (6) inches” in the first sentence.

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Amend Section 303, Swimming Pools, Spas and Hot Tubs by replacing it with the following:

303.1 Swimming pools. Swimming pools, spas, and hot tubs shall be maintained in a clean and sanitary condition, and in good repair.

303.2 Enclosures. Private swimming pools, hot tubs and spas, containing water more than 18 inches (457 mm) in depth shall be completely surrounded by a fence or barrier at least 60 inches (1524 mm) in height above the finished ground level measured on the side of the barrier away from the pool. Gates and doors in such barriers shall be self-closing and self-latching. Where the self-latching device is less than 54 (1372 mm) inches above the bottom of the gate, the release mechanism shall be located on the pool side of the gate. Self-closing and self-latching gates shall be maintained such that the gate will positively close and latch when released from an open position of 6 inches (152 mm) from the gatepost. No existing pool enclosure shall be removed, replaced or changed in a manner that reduces its effectiveness as a safety barrier. Pool enclosures and barriers, including gates, locks, latches, doors, alarms and any other safety features, including interior child barriers, shall be maintained in safe and good working order at all times.

Amend Section 304.14 Insect Screens, by inserting the dates “January 1” and “December 31” in the first sentence.

Chapter 6, “Mechanical and Electrical Requirements”, is hereby amended as follows:

Amend Section 602.3 Heat supply, by inserting the dates “January 1” and “December 31” in the first sentence.

Amend Section 602.4 Occupiable work spaces, by inserting the dates “January 1” and “December 31” in the first sentence.

Charter reference(s) -- Adoption by reference, art. VII, § 14.

Cross reference(s) -- Nuisances, Ch. 17.

State law reference(s) -- Adoption by reference, A.R.S. § 9-801 et seq.

(Code 1977 § 8-1-4)

(Ord. No. 90-33, 8/28/90, 1988 edition adopted)

(Ord. No. 95-24, 5/2/95, 1994 edition adopted)

(Ord. No. 98-107, 10/6/98, 1997 edition adopted)

(Ord. No. 02-12, 2/19/02, 2000 international edition adopted) (SUPP 2002-1)

(Ord. No. 04-22, 5/16/04, Amended) SUPP 2004-2

(Ord. No. 07-11, 4/17/07, Amended) SUPP 2007-2

(Ord. No. 2012-08, 5/1/12, Amended) SUPP 2012-2

Sec. 5-5. International Property Maintenance Code – Amendments

(Ord. 02-12, 2/19/02, Enacted) SUPP 2002-1

(Ord. 04-22, 5/16/04, Repealed) SUPP 2004-3

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Sec. 5-6. Standard specifications for public works.

The Uniform Standard Specifications for Public Works Construction from the Maricopa Association of Governments, 1979, and the 1982 and 1983 amendments thereto are adopted by reference.

Charter reference(s) -- Adoption by reference, art. VII, § 14.

State law reference(s) -- Adoption by reference, A.R.S. § 9-801 et seq.

(Ord. No. 84-91, § 1, 10-9-84)

(Ord. No. 02-12, 2/19/02, renumbered) (SUPP 2002-1)

Sec. 5-7. Reserved

(Code 1977, art. 8-8)

(Ord. No. 02-12, 2/19/02, renumbered) (SUPP 2002-1)

(Ord. No. 2012-08, 5/1/12, Repealed and Reserved) SUPP 2012-2

Sec. 5-8. Slum property designation and appeals; inspection fees.

(A) If the Economic Development Services Director finds that a residential rental property constitutes a “slum property” within the meaning of A.R.S. § 33-1901(3), then the Economic Development Services Director shall issue to the property owner or the owner’s statutory agent a written notice of designation, either personally or by certified mail. The notice of designation shall identify what conditions exist on the property that meet the statutory criteria.

(B) An owner of a residential rental property that has been designated as a slum property pursuant to Subsection (A) of this Section may file an administrative appeal contesting the designation. At the time of filing an administrative appeal, the owner shall pay to the City \$150.00 as a fee for processing the appeal. The administrative appeal shall be heard by a hearing officer designated by the City Manager.

(C) The decision of the hearing officer on an administrative appeal of a slum property designation shall be the City’s final administrative decision.

(D) In order to recoup the costs of a City inspection of a slum property or property that is not registered pursuant to A.R.S. § 33-1902, the City shall assess upon a property owner a fee of \$50.00 per hour per inspector, with a four-hour minimum fee for an inspection of a slum property.

State law reference, A.R.S. §§ 33-1904 and 33-1905

(Ord. 02-13, 02/19/02, Enacted) (SUPP 2002-1)

(Ord. No. 2012-08, 5/1/12, Amended) SUPP 2012-2

CHAPTER 5 – BUILDINGS AND BUILDING REGULATIONS

Section 5-9. Building Board of Appeals.

(A) The Building Board of Appeals shall be composed of a total of seven (7) regular members. All members of the Board shall be appointed by the Mayor with the approval of the City Council in accordance with the provisions of this Code. The members of the Board shall consist of:

(1) One member shall be an Arizona registered architect or structural engineer doing business in the City of Peoria.

(2) One member shall be an Arizona licensed contractor in one or more areas of electrical, mechanical, fire protection or plumbing.

(3) One member with a background or experience in one or more of the following areas: single family home construction, real estate or general construction.

(4) Two members who are private citizens, familiar with the construction industry and trades who are residents of the City.

(5) One member shall be a fire protection engineer.

(6) One member shall be an industrial safety professional with a background in hazardous materials.

(B) All members shall serve without pay. However, members may be reimbursed for their actual expenses incurred in connection with their duties upon authorization or ratification by the City Council.

(C) Members shall be appointed in accordance with Section 2-153 of this Code, with the initial terms being staggered to meet the requirements of that section. Members currently serving who do not meet these qualifications shall continue to serve until their terms are expired.

(D) The Building Board of Appeals is authorized to hear appeals of any final decision or determination of the Building Official relative to the application and interpretation of the following building safety codes adopted and as amended in this Chapter: International Property Maintenance Code, International Building Code, International Residential Code, National Electrical Code, International Mechanical Code, International Plumbing Code, International Energy Conservation Code, and the International Fuel Gas Code.

(E) A written appeal, outlining the Code provision from which relief is sought and the remedy proposed, shall be submitted to the designated Clerk for the Building Board of Appeals within 20 calendar days of notification of a final decision or determination subject to appeal.

(Ord. No. 04-22, 5/16/04, Enacted) SUPP 2004-2

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(Ord. No. 05-34, 8/1/05, Amended) SUPP 2005-3

(Ord. No. 05-63, 11/15/05, Amended) SUPP 2005-4

(Ord. No. 2012-08, 5/1/2012, Amended) SUPP 2012-2

Secs 5-10 through 5-20. Reserved.

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Section 5-21. International Building Code – Adopted and Amended.

(A) A certain document, one copy of which is on file in the City Clerk's Office of the City of Peoria, being marked and designated as "International Building Code, 2012 Edition," published by the International Code Council Inc., is hereby adopted, as amended herein, as the Building Code of the City of Peoria.

(B) The International Building Code, 2012 Edition, is amended as follows:

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

“101.1 Title. Insert the words “City of Peoria” as the name of jurisdiction.”

Amend Section 101.2 Scope by adding the following:

“The fees and administrative provisions of Chapter 1 of this Code shall apply to all the adopted technical codes. When there is a conflict between these provisions and those of another technical code, these provisions shall apply. Where there is an administrative provision contained in another technical code and not in this code, then the administrative provision of the technical code shall apply.”

Amend Section 101.2.1 Appendices by adding the following:

The following appendices are adopted:

Appendix C – Group U – Agricultural Buildings

Appendix I – Patio Covers

Appendix J – Grading

101.4 Referenced codes. Shall be deleted in its entirety and revised to read as follows:

101.4 Referenced codes. The other codes listed in Sections 101.4.1 through 101.4.7 and referenced elsewhere in this code shall be considered part of the requirements of this code to the prescribed extent of each reference. If another code is referenced elsewhere in this code and has not been adopted, then that section shall be considered invalid. The administrative requirements and fees specified in this Code shall supersede those in other adopted codes when there is a conflict.

Exception: Administrative requirements in the City of Peoria Fire Code

Any references to the ICC Electrical Code shall be deleted and the words “Electrical Code adopted by the City of Peoria and amended from time to time” shall be inserted in lieu thereof.

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Any references to the International Zoning Code shall be deleted and the words “Zoning Code adopted by the City of Peoria and amended from time to time” shall be inserted in lieu thereof.

Any references to the International Private Sewage Disposal Code shall be deleted.

101.4.1 Gas. The provisions of the International Fuel Gas Code adopted by the City of Peoria and amended from time to time shall apply to the installation of gas piping from the point of delivery, gas appliances and related accessories.

101.4.2 Mechanical. The provisions of the Mechanical Code adopted by the City of Peoria and amended from time to time shall apply to the installation, alterations, repairs, 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.

101.4.3 Plumbing. The provisions of the International Plumbing Code as adopted by the City of Peoria and amended from time to time shall apply to the installation alterations, repairs and replacement of plumbing systems, including equipment, appliances, fixtures, fittings and appurtenances, and where connected to a water or sewage system and all applicable aspects of a medical gas system.

101.4.4 Property maintenance. The provisions of the Property Maintenance Code adopted by the City of Peoria and amended from time to time 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.

101.4.5 Fire prevention. The provisions of the Fire Code adopted by the City of Peoria and amended from time to time shall apply to matters affecting or relating to structures, processes and premises from the hazard of fire or 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 and alarm systems or fire hazards in the structure or on the premises from occupancy or operation.

101.4.6 Energy. The provisions of the International Energy Conservation

CHAPTER 5 – BUILDINGS AND BUILDING REGULATIONS

Code shall apply to all matters governing the design and construction of those structures regulated by the International Residential Code as adopted by the City of Peoria. Furthermore, the provisions of the International Energy Conservation Code may apply, on a voluntary basis, to all matters governing the design and construction of those structures regulated by the International Building Code as adopted by the City of Peoria.

101.4.7 Electrical. The provisions of the Electrical Code adopted by the City of Peoria and amended from time to time shall apply to the installation of electrical systems, including alterations, repairs, replacement, equipment, appliances, fixtures, fittings and appurtenances thereto.

105.2 Work exempt from permit, Building, Item 1.

Delete Item 1 and replace with the following:

1. One-story detached accessory structures used as tool and storage sheds, playhouses, and similar uses provided the floor area of the structure does not exceed 200 square feet (18.58 m²).

105.2 Work exempt from permit, Building, Amend by adding the following:

14. Re-roofing and roof repairs performed in accordance with IBC 1510
15. Hot-water re-circulators
16. Water Softeners and Soft Water Loops

Add the following subparagraph to Section 107.2:

107.2.6.1 Shell Building Permit Application Drawings.

107.2.6.2 **Exit Discharge Illumination.** If two or more exits are required for a shell building as determined by the Code, then emergency exterior exit discharge illuminations shall be required for all exterior exit doors and the permit application drawings shall show such illumination for all exterior exit doors.

107.2.6.3 **Exterior Exit Door Accessibility.** All exterior doors for a shell building shall be accessible and shall be shown as such on the permit application drawings. Accessible egress doors shall be on an accessible route of travel to the public way or an approved alternate.

107.2.6.4 **Exterior Signs.** Shell building permit application drawings shall comply with NEC 600.5 for each front entrance. Tenant exterior sign locations shall be provided with a 20 amp, 120 volt circuit to 4-gang

CHAPTER 5 – BUILDINGS AND BUILDING REGULATIONS

junction box. Drawings shall show ¾” conduit routed and 3#12, 1#12 ground to a junction box inside building to tenant panel or inside building near vicinity of future tenant panel. Drawings shall show separate branch circuits for each sign junction box.

109.2 Schedule of permit fees. Add the following paragraph:

The following fee schedule will be applicable to residential and non-residential projects.

SEE TABLE 2-209

Plan Review fee shall be sixty five (65%) of the permit fee as shown in Table 2-209. A plan review fee shall not be less than \$50.00. The fee schedule in Table 2-209 shall be applicable to residential and non-residential projects.

109.3 Building permit valuations. The following paragraphs shall be added after the last sentence:

For the purposes of determining valuations Table 2-209 shall be used. The valuation for any shell-only buildings shall be permitted to be reduced by 20 percent. When a foundation-only permit is authorized by the Building Official, it shall be permitted to include the foundation, interior underground utilities and any interior slab-work when so specified. Any valuation not specifically provided for shall be determined by the Building Official and shall be classified in the use and construction type it most nearly resembles.

(2) Chapter 3, “Use and Occupancy Classification”, is hereby amended as follows:

Amend Section 308.3 by amending the first sentence with the following:

308.3 Group I-1. This occupancy shall include buildings, structures or portions thereof for more than 10 persons who reside on a 24-hour basis in a supervised environment and receive custodial care.

Amend Section 308.3.1 by replacing it in its entirety with the following:

308.3.1 Five or fewer persons receiving care. A facility such as the above with five or fewer persons receiving such care shall be classified as Group R-3.

Amend Section 308.3.2 by replacing it in its entirety with the following:

CHAPTER 5 – BUILDINGS AND BUILDING REGULATIONS

308.3.2 Six to ten persons receiving care. A facility such as the above housing not fewer than six and not more than 10 persons receiving such care shall be classified as Group R-4.

Amend Section 308.4.1 by replacing it in its entirety with the following:

A facility such as the above with five or fewer persons receiving such care shall be classified as Group R-3.

- (3) Chapter 9, Fire Protection Systems is hereby amended by deleting the entire chapter and replacing with the following:

Chapter 9 Fire Protection Systems. Fire protection systems shall be installed, repaired, operated and maintained in accordance with Chapter 9, Sections 9-31, 9-32 and 9-33 of the Peoria City Code (1992).

- (4) Chapter 10, “Means of Egress”, is hereby amended as follows:

Amend Exception 4 to Section 1008.1.2, by replacing it in its entirety with the following:

4. Doors within or serving a single dwelling unit in Groups R-2, R-3 as applicable in Section 101.2, and R-4.

- (5) Delete Chapter 11, “Accessibility”, in its entirety and insert, in lieu thereof, the following:

1101 Accessibility. The “Arizonans with Disabilities Act” (Arizona Revised Statutes, Title 41, Chapter 9, Article 8), and the “Arizonans with Disabilities Act Implementing Rules” (Arizona Administrative Code, Title 10, Chapter 3, Article 4), which rules incorporate the federal “Americans with Disabilities Act Accessibility Guidelines Checklist for Buildings and Facilities,” be and the same is hereby adopted as the Arizonans with Disabilities Act of the City. These standards and specifications apply to public entities, public accommodations, and commercial facilities, as defined by those laws, regulations, and guidelines. For public entities, the standards and specifications apply to new construction and alterations and are not required in buildings or portions of existing buildings that do not meet the standards and specifications. For public accommodations and commercial facilities, the standards and specifications shall apply to new construction and alterations commenced after the effective date of such standards and specifications.

1102 Fair Housing. The “Arizona Fair Housing Act” (Arizona Revised Statutes Title 41, Chapter 9, Article 7) and the “Arizona Fair Housing Act Rules”

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(Arizona Administrative Code Title 10, Chapter 2, Article 1) which incorporate and reference the “Federal Fair Housing Act rules” (24 CFR 40) are adopted as the “Fair Housing Act of the City of Peoria,” and shall apply to new construction and alterations and are not required in buildings or portions of existing buildings that do not meet the standards and specifications and this act is hereby referred to, adopted and made a part hereof as though fully set forth in this section.

- (6) Chapter 12, “Interior Environment” is hereby amended as follows:

Add new subsection 1207.4 to section 1207, “Sound Attenuation”, to read as follows:

1207.4 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 December 31, 2001 in order to achieve a maximum interior noise level of forty-five (45) decibels in areas within the noise contours described in ARS section 28-8461, paragraph 8, subdivision (a), (b) or (c), as applicable.

These sound attenuation requirements do not apply to ancillary buildings used in agricultural land use.

If the gross floor area of a structure or project is expanded by less than fifty (50) percent, the requirements of this section apply only to the area of expansion. If the gross floor area of a structure or project is expanded by fifty (50) percent or more, the requirements of this section apply to the entire structure, except for single family, mobile home, manufactured housing unit or duplex dwellings or any multifamily property used for residential purposes.

The Building Official may approve as an alternative, a certification by an architect or engineer registered pursuant to Title 32, Chapter 1 to achieve a maximum interior noise level of forty-five (45) decibels at time of final construction.”

- (7) Chapter 15, “Roof Assemblies and Rooftop Structures”, is hereby amended to read as follows:

Amend Section 1503.4 with the following:

1503.4.4 Where required. All roofs, paved areas, yards, courts, and courtyards shall drain into a separate storm sewer system, a combined sewer system, or an approved place of disposal.

1503.4.5 Roof design. Roofs shall be designed for the maximum possible depth of

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water that will pond thereon as determined by the relative levels of roof deck and overflow weirs, scuppers, edges, or serviceable drains in combination with the deflected structural elements. In determining the maximum possible depth of water, all primary roof drainage means shall be assumed to be blocked.

(8) Chapter 17, “Structural Tests and Special Inspections”, is hereby amended as follows:

Section 1705.4, “Masonry construction”, is amended by adding two additional 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 bottom of footing to top of wall unless supporting a surcharge or impounding flammable liquids.

(9) Chapter 31, “Special Construction” Is hereby amended as follows:

Delete Section 3109 in its entirety and replace with the following:

Section 3109 SWIMMING POOL ENCLOSURES AND SAFETY DEVICES

3109.1 General. Swimming pools shall comply with the requirements of this Section and other applicable Sections of this Code.

3109.2 Definitions. For the purposes of this Section and as used elsewhere in this Code, the following words and terms shall mean:

BARRIER. Any permanent structure or combination thereof, including but not limited to a fence, building wall, or wall, intended to protect children under the age of seven (7) years old residing or intended to reside at the dwelling where the swimming pool is located. The barrier is intended to prevent unauthorized and unaccompanied access into the pool enclosure from the dwelling by children under the age of seven (7) years old.

ENCLOSURE. Any permanent structure or combination thereof, including but not limited to a fence, building wall, or wall, intended to restrict access to a swimming pool from public property or adjacent private property.

RESIDENTIAL SWIMMING POOL. Any swimming pool accessory to and on the same parcel as a Group R-3 occupancy.

SWIMMING POOL. Any structure intended for swimming, recreational

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bathing, or wading that contains water over 18 inches (457 mm) deep. This includes in-ground, above-ground and on-ground pools; hot tubs; spas; and fixed-in-place wading pools.

3109.3 Semi-Public swimming pools. Public swimming pools shall be completely enclosed by a fence at least 60 inches (1524 mm) in height or an approved screen enclosure. Openings in the fence shall not permit the passage of a 4-inch-diameter (102 mm) sphere. The fence or screen enclosure shall be equipped with self-closing and self-latching gates.

3109.4 Residential swimming pools. Residential swimming pools shall comply with Sections 3109.4.1 through 3109.4.3.

3109.4.1 Enclosure and Barrier height and clearances. The top of the enclosure or barrier shall be at least 60 inches (1524 mm) above grade measured on the side of the enclosure or barrier that faces away from the swimming pool. The maximum vertical clearance between grade and the bottom of the enclosure or barrier shall be 2 inches (51 mm) measured on the side of the enclosure or barrier that faces away from the swimming pool. Where the top of the pool structure is above grade, the enclosure or barrier is authorized to be at ground level or mounted on top of the pool structure. The maximum vertical clearance between the top of the pool structure and the bottom of the enclosure or barrier shall be 4 inches (102 mm).

3109.4.1.1 Openings. Openings in the enclosure or barrier shall not allow passage of a 4-inch-diameter (102 mm) sphere.

3109.4.1.2 Solid enclosure or barrier surfaces. Solid enclosures or barriers which do not have openings shall not contain indentations or protrusions except for normal construction tolerances and tooled masonry joints.

3109.4.1.3 Closely spaced horizontal members. Where the enclosure or barrier is composed of horizontal and vertical members and the distance between the tops of the horizontal members is less than 45 inches (1143 mm), the horizontal members shall be located on the swimming pool side of the fence. Spacing between vertical members shall not exceed 1.75 inches (44 mm) in width. Where there are decorative cutouts within vertical members, spacing within the cutouts shall not exceed 1.75 inches (44 mm) in width.

3109.4.1.4 Widely spaced horizontal members. Where the

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enclosure or barrier is composed of horizontal and vertical members and the distance between the tops of the horizontal members is 45 inches (1143 mm) or more, spacing between vertical members shall not exceed 4 inches (102 mm). Where there are decorative cutouts within vertical members, spacing within the cutouts shall not exceed 1.75 inches (44 mm).

3109.4.1.5 Chain link dimensions. Maximum mesh size for chain link fences shall be a 1.75 (44 mm). Chain link material shall be no less than 11 gage.

3109.4.1.6 Non-vertical and non-horizontal members. Where the enclosure or barrier is composed of non-vertical and or non-horizontal members, the maximum opening formed by such members and any adjacent horizontal and or vertical members shall be no more than 1.75 inches (44 mm).

3109.4.1.7 Gates.

- 1 .All gates shall be equipped to accommodate a locking device and shall comply with the requirements of Sections 3109.4.1.1 through 3109.4.1.6.
- 2 All single-leaf gates less than 5' in width shall be considered pedestrian access gates. Pedestrian access gates shall open outward away from the pool and shall be self-closing and self-latching. Single-leaf gates 5' in width or greater shall be secured with a locking device.
3. Gates other than pedestrian access gates that ARE NOT the sole means of access from the front of the house to the back of the house shall be secured with a locking device.
4. Gates other than pedestrian access gates that ARE the sole means of access from the front of the house to the back of the house shall have the active leaf self-closing and self-latching, unless there is a compliant barrier between the gate and the pool.
5. On gates that are required to be self-closing and self-latching, release mechanisms shall be located at least 54 inches above grade measured from the opposite side of the pool. Where the release mechanism is located less than 54 inches, the release mechanism shall be located on the pool

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side of the gate at least 5 inches below the top of the gate, and the gate and enclosure or barrier shall have no opening greater than 0.5 inches within 24 inches of the release mechanism.

6. Springs used to make a gate self-closing shall be mounted in such a manner that the spring pushes the gate to a closed position.

3109.4.1.8 Dwelling wall as an enclosure or barrier. Where a wall of a dwelling serves as part of the enclosure or barrier, one of the following shall apply:

1. Between the swimming pool and the dwelling, a minimum 60 inch (1524 mm) high wall, fence or barrier shall be provided that meets all of the requirements of Section 3109.4.1.
2. The pool shall be equipped with a power safety cover which complies with ASTM F 1346.
3. All ground level doors or other doors with direct access to the swimming pool shall be equipped with a self-latching device which meets the requirements of Section 3109.4.1.7. Emergency escape and rescue openings from sleeping rooms with access to the swimming pool shall be equipped with a self-latching device which meets the requirements of Section 3109.4.1.7. All other openable dwelling unit windows shall be equipped with a screwed in place wire mesh screen or a keyed lock that prevents opening the window more than four inches (102 mm) or a latching device located not less than 54 inches (1372 mm) above the floor.
4. Doors with direct access to the pool through that wall shall be equipped with an alarm that produces an audible warning when the door and/or its screen, if present, are opened. The alarm shall be listed in accordance with UL 2017. The audible alarm shall activate within 7 seconds and sound continuously for a minimum of 30 seconds after the door and/or its screen, if present, are opened and be capable of

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being heard throughout the house during normal household activities. The alarm shall automatically reset under all conditions. The alarm shall be equipped with a manual means, such as a touchpad or switch, to temporarily deactivate the alarm for a single opening. Such deactivation shall last for not more than 15 seconds. In dwellings not required to be Accessible, Type A or Type B units, the deactivation switch shall be located 54 inches (1372 mm) or more above the threshold of the door. In dwellings required to be Accessible, Type A or Type B units, the deactivation switch(es) shall be located at 54 inches (1372 mm) maximum and 48 inches (1219 mm) minimum above the threshold of the door.

5. Pet doors with direct access to the pool shall not be allowed.

Exceptions:

1. Swimming pools accessory to R-3 occupancies where no children under the age of seven (7) years of age reside or are intended to reside. An affidavit shall be required to be signed by the property owner prior to permit issuance stating whether children under the age of seven (7) are to be residents at the permit address.
2. Lake front properties shall provide audible alarm or self-latching devices on doors and window exiting to lake areas consistent with the standards set forth in this section to facilitate equal protection to children from swimming pools and natural or man-made bodies of water which are accessible. Audible alarms shall not be considered equal protection where occupant(s) other than the child are hearing impaired. The enclosure is required, except along the shore line.
3. Swimming pools and spas with a maximum water surface area of sixty-four (64) square feet shall be exempt from the barrier requirements of this section provided that one or more the following conditions exist:
 - a. The swimming pool or spa is located in an adult community that is separated from other non-adult communities by a minor or a major arterial street or by a

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fence complying with the provisions of this chapter.

- b. The swimming pool or spa shall be equipped with a safety cover complying with ASTM F1346 and maintained in a locked position when not in use.
- c. The swimming pool or spa edge shall be at a minimum of 36 inches (914 mm) above grade.

3109.4.1.9 Pool structure as barrier. Where an above-ground pool structure is used as a barrier or where the barrier is mounted on top of the pool structure, and the means of access is a ladder or steps, then the ladder or steps either shall be capable of being secured, locked or removed to prevent access, or the ladder or steps shall be surrounded by a barrier which meets the requirements of Sections 3109.4.1.1 through 3109.4.1.8. When the ladder or steps are secured, locked or removed, any opening created shall not allow the passage of a 4-inch-diameter (102 mm) sphere.

3109.4.1.10 Required distance from water's edge. The enclosure or barrier shall be no less than 20 inches (508 mm) from the water's edge.

3109.4.2 Indoor residential swimming pools. Walls surrounding indoor residential swimming pools shall not be required to comply with Section 3109.4.1.8.

3109.4.3 Prohibited locations. Enclosures or barriers for residential swimming pools shall be located so as to prohibit permanent structures, equipment, or similar objects from being used to climb the enclosures or barriers.

3109.5 Entrapment avoidance. Suction outlets shall be designed to produce circulation throughout the pool or spa. Single-outlet systems, such as automatic vacuum cleaner systems, or other such multiple suction outlets whether isolated by valves or otherwise shall be protected against user entrapment.

3109.5.1 Suction Fittings. All pool and spa suction outlets shall be provided with a cover that conforms to ASME A112.19.8M, a 12-inch by 12-inch (305 mm by 305 mm) drain grate or larger, or an approved channel drain system.

Exception: Surface Skimmers

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3109.5.2 Atmospheric vacuum relief system required. All pool and spa single- or multiple-outlet circulation systems shall be equipped with an atmospheric vacuum relief should grate covers located therein become missing or broken. Such vacuum relief systems shall include at least one approved or engineered method of the following types:

1. Safety vacuum release systems conforming to ASME 112.19.17; or
2. Approved gravity drainage system.

3109.5.3 Dual drain separation. Single- or multiple-pump circulation systems shall be provided with a minimum of two suction outlets of the approved type. A minimum horizontal or vertical distance of 3 feet (914 mm) shall separate such outlets. These suction outlets shall be piped so that water is drawn through them simultaneously through a vacuum-relief-protected line to the pump or pumps.

3109.5.4 Pool cleaner fittings. Where provided, vacuum or pressure cleaner fitting(s) shall be located in an accessible position(s) at least 6 inches (152 mm) and not greater than 12 inches (305 mm) below the minimum operational water level or as an attachment to the skimmer(s).

Charter reference(s) -- Adoption by reference, art. VII, § 14.

State law reference(s) -- Adoption by reference, A.R.S. § 9-801 et seq.

(Code 1977, § 8-1-1(A))

(Ord. No. 90-31, 8/28/90, 1988 edition adopted)

(Ord. No. 95-27, 5/2/95, 1994 edition adopted)

(Ord. No. 98-104, 10/6/98, 1997 edition adopted)

(Ord. No. 02-09, 2/19/02, 2000 international edition adopted) (SUPP 2002-1)

(Ord. No. 04-22, 5/16/04, 2003 edition adopted) SUPP 2004-2

(Ord. No. 07-11, 4/17/07, 2006 edition adopted) SUPP 2007-2

(Ord. No. 07-32, 10/02/07, 2006 international edition adopted) SUPP 2007-4

(Ord. No. 2012-08, 5/1/2012, 2012 international edition adopted and amended) SUPP 2012-2

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Section 5-22. International Building Code -- Amendments.

(Code 1977, § 8-1-1(D), (E))

(Ord. No. 90-03, 1/9/90)

(Ord. No. 90-31, 8/28/90)

(Ord. No. 91-12, 5/14/91)

(Ord. No. 91-13, 5/14/91, Amended Sec. 511)

(Ord. No. 91-33, 10/9/91, Amended Sec. 303)

(Ord. No. 94-08, 3/1/94, Amended Sec. 303, 307, 308, 309 and 310)

(Ord. No. 94-82, 12/19/94, Amended Sec. 1210)

(Ord. No. 95-27, 5/2/95, Amended)

(Ord. No. 96-22, 4/16/96, Amended Appendix 4, Section 421.3)

(Ord. No. 98-104, 10/6/98, local amendments)

(Ord. No. 99-10, 3/16/99, local amendments) (SUPP 1999-1)

(Ord. No. 99-11, 3/16/99, local amendments) (SUPP 1999-1)

(Ord. No. 01-21, 5/22/2001, local amendments, Amended Sec. 105.1) (SUPP 2001-2)

(Ord. No. 02-09, 2/19/02, 2000 international edition adopted) (SUPP 2002-1)

(Ord. No. 04-22, 5/16/04, Repealed) SUPP 2004-2

Sec. 5-23. Compliance with zoning.

Whenever a building permit is issued and a building inspection performed, such building must conform to the provisions of the zoning ordinance in addition to the provisions of this chapter.

Cross reference(s) -- Zoning, Ch. 26.

(Code 1977, § 8-1-3)

Sec. 5-24. Reserved.

(Code 1977, art. 8-11)

(Ord. No. 2012-08, 5/1/2012, Repealed & Reserved) SUPP 2012-2

Sec. 5-25. International Residential Code – Adopted and Amended.

(A) A certain document, one copy of which is on file in the City Clerk’s Office of the City of Peoria, being marked and designated as “International Residential Code, 2012 Edition,” published by the International Code Council is hereby adopted, as amended herein, as the Code for establishing the minimum regulations governing the conditions and maintenance of property, buildings, and structures within the City of Peoria.

(B) The International Residential Code, 2012 Edition, is amended as follows:

(1) Chapter 1, “Scope and Administration”, is hereby amended as follows:

R101.1 Title. Insert the words “City of Peoria” as the name of jurisdiction.

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Amend Section R102.5 Appendices by adding the following:

The following appendices are adopted:

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 LISTED FOR USE AND TYPE B VENTS

APPENDIX C - EXIT TERMINALS OF MECHANICAL DRAFT AND DIRECT-VENT VENTING SYSTEMS

APPENDIX D - RECOMMENDED PROCEDURE FOR SAFETY INSPECTION OF AN EXISTING APPLIANCE INSTALLATION

APPENDIX G - SWIMMING POOLS, SPAS AND HOT TUBS Adopt Sections AG101, AG102, AG103 & AG104 only

APPENDIX H - PATIO COVERS

APPENDIX J - EXISTING BUILDINGS AND STRUCTURES

APPENDIX K - SOUND TRANSMISSION

R102.7 Existing structures. Delete the words “or the International Fire Code” and insert in lieu thereof, ‘as adopted by the City of Peoria’.

R107.3 Temporary power. Delete the words “in NFPA 70” and insert in lieu thereof, ‘by the Electrical Code adopted by the City of Peoria and amended from time to time.’

Amend R110.1 Use and occupancy by replacing it in its entirety with the following:

No building or structure shall be used or occupied, or furnished in whole or in part, and no change in the existing occupancy classification of a building or structure or portion thereof shall be made until the Building Official has issued a certificate of occupancy (or a utility clearance) therefore as provided herein. Issuance of a certificate of occupancy shall (or a utility clearance) not be construed as an approval of a violation of the provisions of this code or of other ordinances of the jurisdiction. Certificates presuming to give authority to violate or cancel the provisions

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of this code or of other ordinances of the jurisdiction shall not be valid.

Exception: Certificates of occupancy (or a utility clearance) are not required for work exempt from permits under Section 105.2.

R110.2 Change in use. Add the following words to the end of the sentence: ‘as adopted by the City of Peoria and amended from time to time.’

- (2) Chapter 3, “Building Planning”, is hereby amended to read as follows:

Modify Table R301.2(1), by inserting the following:

Ground Snow Load:	0 psf
Wind speed:	90 mph, Exposure C
Topographic effects:	NO
Seismic Design Category:	B
Weathering:	NEGLIGIBLE
Frost Line Depth:	12”
Termite:	MODERATE TO HEAVY
Winter Design Temperature:	32 degrees F
Ice Shield Underlayment Required:	NO
Flood Hazards:	(a) July 9, 1984, (b) July 19, 2001‘
Air Freezing Index:	0
Mean Annual Temperature:	71.2 degrees F

Replace the first paragraph of Section R309.1 in its entirety with the following:

R309.1 Opening protection. Openings from a private garage directly into a room used for sleeping purposes shall not be permitted. Other openings between the garage and residence shall be equipped with solid wood doors not less than 1³/₈ inch (35 mm) in thickness, solid or honeycomb core steel doors not less than 1³/₈ inches (35 mm) thick, or 20-minute fire-rated doors. Doors providing opening protection shall be maintained self-closing and self-latching.

Amend Chapter 3, Building Planning by deleting Section R313, Automatic Fire Sprinkler Systems in its entirety.

Add new section R324 to read as follows:

R324 Sound Attenuation. Buildings covered under the International Residential Code shall be subject to the following provisions:

- 1) Buildings shall be designed for a maximum interior noise level of 45 decibels.

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- 2) Exterior wall penetrations by pipe ducts or conduits shall be caulked.
- 3) Mailboxes shall not be used through the door or wall.
- 4) Windows shall have two panes of glass and sound transmission rating of STC-22. All operable windows shall be weather stripped and airtight in accordance with ASTM R-283-84-T Standard. Perimeter window frames shall be sealed to airtight specifications.
- 5) All non-glazed portions of exterior side-hinged doors shall be solid-core wood or insulated hollow metal or at least one and three-quarters inch thick and fully weather stripped. The perimeter doorframes shall be sealed to airtight specifications.
- 6) Fireplaces shall be provided with well fitting dampers, unless otherwise prohibited elsewhere in the Code.
- 7) Exterior walls shall be at least four inches in nominal depth and shall be finished on the outside with block, siding, sheathing, or stucco on one-inch Styrofoam. R-19 fiberglass or cellulose insulation shall be installed continuously throughout the cavity space behind the wall. Total insulation R-value of the exterior wall assembly shall be R-18.
- 8) Attics and roof rafter spaces shall be insulated with a minimum insulation R-value of at least R-30.

If the specified requirements of section R324 are not met, the Building Official may approve as an alternative, a certification by an architect or engineer registered pursuant to Title 32, Chapter 1 to achieve a maximum interior noise level of forty-five (45) decibels at time of final construction.

- (3) Chapter 13, “General Mechanical System Requirements”, is hereby amended as follows:

Add a new section 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.

- (4) Chapter 24, “Fuel Gas”, is hereby amended to read as follows:

Add a new paragraph to G2406.2 Prohibited locations, by adding exception number 6:

6. 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.

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

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

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

- (6) Chapter 36, “Services”, is revised to read as follows:

Revision to IRC Table E3603.1

Revise Table as Follows (Minimum Grounding Electrode Conductor Size in the rightmost two columns to remain the same):

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**TABLE E3603.1
SERVICE CONDUCTOR AND GROUNDING ELECTRODE CONDUCTOR SIZING**

CONDUCTOR TYPES AND SIZES – THHW, THW, THWN, USE, XHHW (Parallel sets of 1/0 and larger conductors are permitted in Rating either a single raceway or in separate raceways)		Service or Feeder Rating (Amperes)	
Copper (AWG)	Aluminum and copper-clad aluminum (AWG)	≤30°C (86°F)	> 30°C (86°F)
4	2	100	
3	1	110	
2	1/0	125	100
1	2/0	150	125
1/0	3/0	175	150
2/0	4/0 or two sets of 1/0	200	175
3/0	250 kcmil or two sets of 2/0	225	200
4/0 or two sets of 1/0	300kcmil or two sets of 3/0	250	225
250 kcmil or two sets of 2/0	350 kcmil or two sets of 4/0	300	250
350 kcmil or two sets of 3/0	500 or two sets of 250 kcmil	350	300
400 kcmil or two sets of 4/0	600 or two sets of 300 kcmil	400	350
500 kcmil	750 kcmil		400

(6) Chapter 38, “Power and Lighting Distribution, “is hereby amended to read as follows:

Amend Section E3908.8 by replacing it with the following:

E3908.8 Types of equipment grounding conductors. The equipment grounding conductor run with of enclosing the circuit conductors shall be one or more or a combination of the following:

2. Threaded rigid metal conduit and fittings.
3. Threaded intermediate metal conduit and fittings.

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(Ord. No. 02-10, 2/19/02, 2000 international edition adopted) (SUPP 2002-1)

(Ord. No. 04-22, 5/16/04, 2003 international edition adopted and amended) SUPP 2004-2

(Ord. No. 07-11, 4/17/07, 2006 international edition adopted and amended) SUPP 2007-2

(Ord. No. 2012-08, 5/1/2012, 2012 international edition adopted and amended) SUPP 2012-2

Section 5-26. International Residential Code – Amendments.

(Ord. No. 02-10, 2/19/02, 2000 international edition adopted) (SUPP 2002-1)

(Ord. No. 04-22, 5/16/04, Repealed) SUPP 2004-2

Secs. 5-27 through 5-40. Reserved.

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Section 5-41. National Electrical Code – Adopted and Amended

(A) A certain documents, one copy of which is on file in the City Clerk’s Office of the City of Peoria, being marked and designated as “National Electrical Code, 2011 Edition,” published by the National Fire Protection Association is hereby adopted, as amended herein, as the Electrical Code of the City of Peoria.

(B) The National Electrical Code, 2011 Edition, is amended as follows:

(1) Amend Article 110.7 by adding the following sentence:

All electrical equipment 1000 amps or larger must pass a dielectric strength test by a qualified third party before requesting a meter clearance.

(2) Amend Article 250.118 by replacing it with the following:

250.118. Types of Equipment Grounding Conductors

The equipment grounding conductor run with or enclosing the circuit conductors shall be one or more or a combination of the following:

1. Threaded Rigid metal conduit and fittings.
2. Threaded Intermediate metal conduit and fittings.

(3) Amend Article 312.5 by replacing the first paragraph with the following (the remainder of Article 312.5 shall remain unchanged):

312.5 Cabinets, Cutout Boxes, and Meter Socket Enclosures. Conductors entering enclosures within the scope of this article shall be protected from abrasion and shall comply with 312.5 (A) through (C).

Exception: For one- and two- family dwellings, cables with entirely non-metallic sheaths shall be permitted to enter the back of a surface-mounted enclosure through one or more nonflexible raceways not more than 75 mm (3 in.) in diameter, and not less than 75 mm (3 in.) and not more than 600 mm (24 in.) in length, provided all of the following conditions are met:

- a. Each cable is fastened within 200 mm (8 in.) measured along the sheath of the outer end of the raceway.
- b. The raceway extends directly into an enclosed wall space.
- c. A fitting is provided on each end of the raceway to protect the cable(s) from abrasion.
- d. The raceway is sealed or plugged using approved means so as to prevent access to the enclosure through the raceway.
- e. The cable sheath is continuous through the raceway and extends

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- into the enclosure beyond the fitting not less than 50 mm (2 in.)
- f. The raceway, if greater than 305 mm (12 in.) is fastened at its end in accordance with the applicable article.
- g. The raceway shall be permitted to be filled to 60 percent of its total cross sectional area, and 310.15(B)(2)(a) adjustment factors need not apply to this condition.

- (4) Amend Article 334.10 by deleting 334.10(3) and adding as follows:

334.10 Uses Permitted. Type NM, Type NMC, and Type NMS cables shall be permitted to be used in the following:

Other dwelling unit accessory buildings and structures in accordance with 334.10(1) and (2).

- (5) Amend Article 358.10 by replacing 358.10(B) with the following:

(B) Corrosion Protection. Ferrous or nonferrous EMT, elbows, couplings, and fittings shall be permitted to be installed in concrete ; that is not in direct contact with the earth ; or in areas subject to severe corrosive influences where protected by corrosion protection and judged suitable for the condition.

- (6) Amend Article 358.12 by adding the following:

(Items 1 through 6 to remain the same)

(7) On or below grade.

- (7) Amend Article 501.30(A) by deleting the exception in its entirety.

- (8) Amend Article 501.30(B) by deleting the exception in its entirety.

- (9) Amend Article 502.30(A) by deleting the exception in its entirety.

- (10) Amend Article 502.30(B) by deleting the exception in its entirety.

(Code 1977, § 8-3-1(A))

(Ord. No. 90-35, 8/28/90, 1984 edition adopted)

(Ord. No. 95-26, 5/2/95, 1993 edition adopted)

(Ord. No. 98-109, 10/6/98, 1996 edition adopted)

(Ord. No. 01-20, 5/22/01, 1999 edition adopted)

(Ord. No. 04-22, 5/16/04, 2002 edition adopted) SUPP 2004-2

(Ord. No. 07-11, 4/17/07, 2005 edition adopted) SUPP 2007-2

(Ord. No. 2012-08, 5/1/2012, 2011 edition adopted) SUPP 2012-2

Section 5-42 Same - - National Electrical Code Amendments.

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(Code 1977, § 8-3-1(E))
(Ord. 95-26, 5/2/95, amended)
(Ord. No. 98-109, 10/6/98, amended)
(Ord. No. 01-20, 5/22/01, amended)
(Ord. No. 04-22, 5/16/04, Repealed) SUPP 2004-2

Section 5-43 Amendments -- Uniform Administrative Code Provisions for the National Electrical Code.

(Code 1977, § 8-3-1(D))
(Ord. 95-26, 5/2/95, amended deleting county-wide standards and adopting uniform administrative provisions)
(Ord. No 98-109, 10/6/98)
(Ord. No. 01-20, 5/22/01, amended)
(Ord. No. 04-22, 5/16/04, Repealed) SUPP 2004-2

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Section 5-44. International Plumbing Code – Adopted and Amended.

(A) A certain document, one copy of which is on file in the City Clerk's Office of the City of Peoria, being marked and designated as “International Plumbing Code, 2012 Edition,” published by the International Code Council Inc., is hereby adopted, as amended herein, as the Plumbing Code of the City of Peoria.

(B) The International Plumbing Code, 2012 Edition, is amended as follows:

(1) Chapter 1, “Scope and Administration,” is hereby amended as follows:

101.1 Title. Insert the words “City of Peoria” as the name of jurisdiction.

101.2 Scope. Amend Section 101.2, “Scope,” by adding the following:

Any references to the ICC Electrical Code shall be deleted and the words “Electrical Code adopted by the City of Peoria and amended from time to time” shall be inserted in lieu thereof.

The following appendices are adopted:

APPENDIX E – SIZING OF WATER PIPING SYSTEM

APPENDIX F – STRUCTURAL SAFETY

106.6.2 Fee Schedule. Insert the words “Section 2-209 of the Peoria City Code, Table 2-209.”

106.6.3 Fee Refunds. Delete in its entirety.

109. Means of Appeal. Delete in its entirety and amend as follows:

“All appeals shall follow the provisions of the International Building Code, 2012 Edition, Section 113, and Chapter 5 of the Peoria City Code (1992), Section 5-9.”

(2) Chapter 3, “General Regulations”, is hereby amended as follows:

305.4.1 Sewer depth. Building sewers that connect to private sewage disposal systems shall be installed not less than 12 inches (305 mm) below finished grade at the point of septic tank connection. Building sewers shall be installed not less than 12 inches (305 mm) below grade.

(3) Chapter 4. Fixtures, Faucets and Fixture Fittings

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Section 404. “Accessible Plumbing Facilities.” Delete in its entirety and amend as follows:

Accessible plumbing facilities and fixtures shall be provided in accordance with Chapter 5 of the Peoria City Code (1992), Section 5-21 pertaining to the International Building Code, Edition 2012, Chapter 11, Accessibility and Fair Housing.

(4) Section 1106, Size of Conductors, Leaders and Storm Drains.

1106.1 General. Delete in its entirety and amend as follows:

The size of the vertical conductors and leaders, building storm drains, building storm sewers, and any horizontal branches of such drains or sewers shall be based on 6” (inches) of rainfall per hour.

Reserved.

(Code 1977, § 8-3-2)

(Ord. No. 95-26, 5/2/95, Repealed)

(Ord. No. 07-32, 10/02/07, Enacted) SUPP 2007-4

(Ord. No. 2012-08, 5/1/2012, 2012 edition adopted) SUPP 2012-2

Secs. 5-45. through 5-60. Reserved.

Section 5-61.

Charter reference(s) -- Adoption by reference, art. VII, § 14.

State law reference(s) -- Adoption by reference, A.R.S. § 9-801 et seq.

(Code 1977, § 8-1-2)

(Ord. No. 90-32, 8/28/90, 1988 edition adopted)

(Ord. No. 95-23, 5/2/95, 1994 edition adopted)

(Ord. No. 98-106, 10/6/98, 1997 edition adopted)

(Ord. No. 07-11, 4/17/07, 1997 edition deleted in its entirety.)

Secs. 5-62. through 5-75. Reserved.

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Section 5-76. International Mechanical Code – Adopted and Amended

(A) A certain document, one copy of which is on file in the City Clerk’s Office of the City of Peoria, being marked and designated as “International Mechanical Code, 2012 Edition,” published by the International Code Council is hereby adopted, as amended herein, as the Mechanical Code of the City of Peoria.

(B) The International Mechanical Code, 2012 Edition, is amended as follows:

Chapter 1, “Scope and Administration,” is amended as follows:

Amend Section 101.1 Title, by inserting the words “City of Peoria” as the name of the Jurisdiction.

101.2 Scope. Amend Section 101.2, “Scope,” by adding the following: Any references to the ICC Electrical Code shall be deleted and the words “Electrical Code adopted by the City of Peoria and amended from time to time” shall be inserted in lieu thereof.

106.5.2 Fee schedule. Insert the words “Section 2-209 of the Peoria City Code, Table 2-209.”

Section 106.5.3 Fee Refunds, Delete in its entirety

Amend Section 108.5 Stop work orders, amending the last sentence of the paragraph to read:

Any person who shall continue any work on the system 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 or penalty in accordance with other provisions of the Peoria City Code.

Amend Section 109, Means of Appeal. Delete in its entirety and amend as follows:

All appeals shall follow the provisions of the International Building Code, 2012 Edition, Section 113, and Chapter 5 of the Peoria City Code (1992), Section 5-9.

Charter reference(s) -- Adoption by reference, art. VII, § 14.

State law reference(s) -- Adoption by reference, A.R.S. § 9-801 et seq.

(Code 1977, art. 8-4)

(Ord. No. 90-36, 8/28/90, 1988 edition adopted)

(Ord. No. 95-25, 5/2/95, 1994 edition adopted)

(Ord. No. 98-105, 10/6/98, 1997 edition adopted)

(Ord. No. 02-11, 2/19/02, 2000 international edition adopted) SUPP 2002-1

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(Ord. No. 04-22, 5/16/04, 2003 international edition adopted and amended) SUPP 2004-2
(Ord. No. 07-11, 4/17/07, 2006 international edition adopted and amended) SUPP 2007-2
(Ord. No. 2012-08, 5/1/2012, 2012 international edition adopted and amended) SUPP 2012-2

Section 5-77. International Mechanical Code -- Amendments.

(Ord. No. 90-36, 8/28/90)
(Ord. No. 95-25, 5/2/95, amended)
(Ord. No. 98-105, 10/6/98, 1997 edition adopted)
(Ord. No. 02-11, 2/19/02, 2000 international edition adopted) (SUPP 2002-1)
(Ord. No. 04-22, 5/16/04, Repealed) SUPP 2004-2

Section 5-78. International Fuel Gas Code – Adopted and Amended.

(A) A certain document, one copy of which is on file in the City Clerk’s Office of the City of Peoria, being marked and designated as “International Fuel Gas Code, 2012 Edition,” published by the International Code Council is hereby adopted, as amended herein, as the Fuel Gas Code of the City of Peoria.

(B) The International Fuel Gas Code, 2012 Edition, is amended as follows:

(1) Chapter 1, “Scope and Administration” is hereby amended as follows:

101.1 Title. Insert the words “City of Peoria” in the name of jurisdiction.

101.2 Scope. Amend as follows by adding: Any references to the ICC Electrical Code shall be deleted and the words “Electrical Code adopted by the City of Peoria and amended from time to time” shall be inserted in lieu thereof.

101.3 Appendices. Amend Section 101.3, “Appendices,” by adding the following:

The following appendices are adopted:

APPENDIX A – SIZING AND CAPACITIES OF GAS PIPING

APPENDIX B – SIZING OF VENTING SYSTEMS SERVING APPLIANCES EQUIPPED WITH DRAFT HOODS, CATEGORY 1 APPLIANCES AND APPLIANCES LISTED FOR USE WITH TYPE B VENTS

APPENDIX C – EXIT TERMINALS OF MECHANICAL DRAFT AND DIRECT-VENT VENTING SYSTEMS

Section 103, “Department of Inspection,” is hereby amended as follows:

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103.1 General. The Building Safety Division is hereby created and the executive official in charge thereof shall be known as the building official.

106 “Permits,” is hereby amended as follows:

106.6.2 Fee Schedule. Insert the words “Section 2-209 of the Peoria City Code, Table 2-209.”

106.6.3 Fee refunds. Delete in its entirety.

109 Means of Appeal. Delete in its entirety and amend as follows: “All appeals shall follow the provisions of the International Building Code, 2012 Edition, Section 113, and Chapter 5 of the Peoria City Code (1992) Section 5-9.”

(2) 404.12 Minimum burial depth. Delete in its entirety and amend as follows: “Underground metallic piping systems shall be installed a minimum depth of 12 inches (305 mm) below grade. Underground plastic piping systems shall be installed a minimum depth of 18 inches (457 mm) below grade.”

404.12.1 Individual outside appliances. Delete in its entirety.

(Ord. 07-32, 10/02/07, Enacted Sec 05-78) SUPP 2007-4

(Ord. 2012-08, 5/1/2012, Adopted 2012 Edition) SUPP 2012-2

Secs. 5-79 through 5-90. Reserved.

(Ord. No. 90-36, 8/28/90)

Sec. 5-91. Reserved

Charter reference(s) -- Adoption by reference, art. VII, § 14.

State law reference(s) -- Adoption by reference, A.R.S. § 9-801 et seq.

(Code 1977, § 8-2-1)

(Ord. No. 90-34, 8/28/90, 1988 edition adopted)

(Ord. No. 95-28, 5/2/95, 1991 edition adopted)

(Ord. No. 07-11, 4/17/07, Arizona Administrative Code edition adopted) SUPP 2007-2

(Ord. No. 07-32, 10/02/07, Arizona Uniform Plumbing Code repealed) SUPP 2007-4

Sec. 5-92. Repealed

(Code 1977, § 8-2-2)

(Ord. No. 90-34, 8/28/90)

(Ord. No. 90-44, 9/25/90)

(Ord. No. 95-28, 5/2/95, amended)

(Ord. No. 07-11, 4/17/07, repealed) SUPP 2007-2

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Secs. 5-93. through 5-100. Reserved.

CHAPTER 5 – BUILDINGS AND BUILDING REGULATIONS

Sec. 5-101. Definitions.

The following words, terms and phrases, when used in this division, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Agency means the state department of environmental quality.

Air-gap separation or *A.G.* means a physical separation between the free flowing discharge end of a potable water supply pipeline and an open or nonpressure receiving vessel.

Approved means backflow prevention assembly or methods approved by the department as either meeting an applicable specification stated or cited in this division, or suitable for the proposed use.

Approved air-gap separation means an air-gap separation that is at least double the diameter of the supply pipe measured vertically above the overflow rim of the vessel, but in no case less than one (1) inch (two and one-half (2.5) centimeters).

Assembly means any system for backflow protection consisting of more than one (1) component and having been tested as one (1) unit, and approved as one (1) unit.

Atmospheric vacuum breaker or *A.V.B.* (also known as the "nonpressure type vacuum breaker") means an assembly containing a float check, a check seat and an air inlet port. The flow of water into the body causes the float to close the air inlet port. When the flow of water stops, the float falls and forms a check valve against backsiphonage and at the same time opens the inlet port to allow air to enter and satisfy the vacuum. A shutoff valve immediately upstream may be an integral part of the assembly. An atmospheric vacuum breaker is designed to protect against a health hazard (i.e. contaminant) under a backsiphonage condition only.

Auxiliary water system means a source of water outside of the city's public water supply system. No connection to the city's public water supply system shall be made with any other water system without the approval of the local authority.

Backflow means the flow of water or other liquids, mixtures, or substances into the distribution pipes of a potable water system from any source other than the intended source of the potable water supply.

Backflow prevention assembly means any assembly, method, or type of construction intended to prevent backflow into a potable water system.

Backpressure means the flow of water or other liquids, mixtures, or substances under pressure into the distribution pipes of a potable water supply system from any source or sources other than the intended source.

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Backsiphonage means the flow of water or other liquids, mixtures or substances into the distribution pipes of a potable water supply from any source other than its intended source, caused by the reduction of pressure in the potable water supply system.

Consumer or *customer* means the owner, official custodian or person in control of any premises supplied by or in any manner connected to a public water system.

Consumer's or customer's water system means any water system serving the premises, commencing at the discharge side of the service pipe shutoff valve location.

Department means the building safety department of the city.

Double check valve assembly or *D.C.* means an assembly composed of two (2) independently acting, approved check valves, including tightly closing shutoff valves located at each end of the assembly and fitted with properly located test cocks.

Contamination means an impairment of quality of the potable water, such as through the introduction of microorganisms, chemicals, wastewater, industrial discharges, or other materials to a degree which creates an actual or potential hazard to the public health.

Cross-connection means any connection through which a supply of potable water could be contaminated or polluted through backflow.

Double check-detector check valve assembly or *D.C.D.C.* means a specially designed assembly composed of a line-size approved double check valve assembly with a specific bypass five-eighths-inch by three-fourths-inch, or three-fourths-inch water meter and a three-fourths-inch approved double check valve assembly. The meter shall register all rates of flow.

Fixed air gap means the unobstructed vertical distance through the free atmosphere between the water discharge point and the flood level rim of the receptacle.

Foundation means Foundation for Cross-Connection Control and Hydraulic Research, University of Southern California.

Health hazard means any condition, device or practice in a water system or its operation resulting from a real or potential danger to the health and well-being of consumers. ``Severe" as used to qualify ``health hazard" means a hazard to the health of the user that could be expected to result in death or significant reduction in the quality of life.

Inspection means a plumbing inspection to examine carefully and critically all materials, fixtures, piping and appurtenances, appliances and installations of a plumbing system for compliance with requirements of the Uniform Building Code and this division.

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Installation means the installation of backflow prevention assembly.

Nonpotable water means water not safe for drinking, personal or culinary use as determined by the requirements of Safe Drinking Water Act of 1974, and this division.

Officer means the person appointed by the city manager to enforce the provisions of this division.

Plumbing means the actual installation, repair, maintenance, alteration or extension of a plumbing system by any person. "Plumbing" includes all piping, fixtures, appurtenances and appliances for a supply of water for all purposes, including without limitation lawn sprinkler systems from the source of a private water supply on the premises or from the main in the street, alley or at the curb to within and about any building or buildings where a person lives, works or assembles. "Plumbing" includes all piping from discharge of pumping units to and including pressure tanks in water supply systems. "Plumbing" includes all piping, fixtures, appurtenances and appliances for a building drain and a sanitary drainage and related ventilation system of any building or buildings where a person or persons live, work or assemble from the point of connection of such building drain to the building sewer or private sewage disposal system two (2) feet beyond the foundation walls.

Pollution means the presence of any foreign substance (organic, inorganic, radiological, or biological) in water that tends to degrade its quality so as to constitute a hazard or impair the usefulness of water to a degree which does not create an actual hazard to the public but which does adversely and unreasonably affect such waters for domestic use.

Potable water means water which meets the requirement of the state health department for drinking, culinary, and domestic purposes.

Potential cross-connection means a fixture or appurtenance with threaded hose connection, tapered spout, or other connection which would facilitate extension of the water supply line beyond its legal termination point.

Pressure vacuum breaker or *P.V.B.* means an assembly containing an independently operating loaded check valve and an independently operating loaded air inlet valve located on the discharge side of the check valve. The assembly is to be equipped with properly located test cocks and tightly closing shutoff valves located at each end of the assembly. This assembly is designed to protect against a health hazard (i.e. contaminant) under a backsiphonage condition only.

Process fluid means any fluid or solution which may be chemically, biologically or otherwise contaminated or polluted in a form or concentration such as would constitute a health, pollution, or system hazard if introduced into the public or a consumer's potable water system. This includes but is not limited to:

- (1) Polluted or contaminated waters.

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- (2) Process waters.
- (3) Used waters originating from the public water supply system which may have deteriorated in sanitary quality.
- (4) Cooling waters.
- (5) Questionable or contaminated natural waters taken from wells, lakes, streams, or irrigation systems.
- (6) Chemicals in solution or suspension.
- (7) Oils, gases, acids, alkalis and other liquid and gaseous fluids used in industrial or other processes, or for firefighting purposes.

Public water supply system means all mains, pipes and structures owned and/or maintained by the city, or any connected to such public water supply system, supplying potable water to the citizens of the city, through which water is obtained and distributed to the public, including wells and well structures, intakes and cribs, pumping stations, treatment plants, reservoirs, storage tanks and appurtenances, collectively or severally, actually used or intended for use for the purpose of furnishing potable water.

Reduced pressure zone principle backflow prevention assembly or *RP* means an assembly containing a minimum of two (2) independently acting check valves together with an automatically operated pressure differential relief valve located between the two (2) check valves. During normal flow and at the cessation of normal flow, the pressure between these two (2) checks shall be less than the supply pressure. In case of leakage of either check valve, the differential relief valve, by discharging to the atmosphere, shall operate to maintain the pressure between the check valves at less than the supply pressure. The unit must include tightly closing shutoff valves located at end of the assembly, and each assembly shall be fitted with properly-located test cocks.

Service connection means the physical connection to the water main including all fittings and appurtenances, through which water is supplied to the consumer.

Survey means the collection of information pertaining to a customer's piping system regarding the location of all connections to the public water supply system and must include the location, type and most recent inspection and testing date of all cross-connection assemblies and methods located within that customer's piping system.

(Code 1977, § 8-2-3)

(Ord. No. 2011-22, 11/1/2011, Amended) SUPP 2011-4

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Sec. 5-102. Purpose.

The purpose of this division is:

- (1) To protect the public water supply system from contamination or pollution by isolating within the customer's water system at each piece of equipment or hazard where contaminants or pollutants which could backflow through the service connection into the public water supply system.
- (2) To promote the elimination or control of existing cross-connections, actual or potential, between the public or consumer's potable water system and nonpotable water systems, plumbing fixtures and sources or systems containing substances of unknown or questionable quality.
- (3) To provide for the maintenance of a continuing program of cross-connection control which will prevent the contamination or pollution of the public and consumer's potable water systems.

(Code 1977, § 8-2-4(A))

(Ord. No. 2011-22, 11/1/2011, Amended) SUPP 2011-4

Sec. 5-103. Scope.

This division applies to all premises served by the public water supply system of the city and any other approved water supply from any private, auxiliary or emergency source.

(Code 1977, § 8-2-4(B))

Sec. 5-104. Authorization, cross connection enforcement program, fees.

(a) The utilities director is authorized to operate and maintain a cross connection inspection program. This program shall provide for continuous and ongoing inspection of backflow prevention and cross connection devices installed in the city.

(b) There shall be a monthly surcharge on each water meter within the city's service area. This surcharge shall be in the amount provided for in Chapter 2 of the Peoria city code (1992). All funds received from this surcharge shall be placed in an account designated the cross connection control program account. The account shall be used to assist in financing the operation of the city's cross control connection program.

(Code 1977, § 8-2-17(A))

(Ord. No. 91-39, 11/12/91, Repealed)

(Ord. No. 91-39, 11/12/91, Re-enacted)

(Ord. No. 02-41, 6/4/2002, Amended) SUPP 2002-2

Sec. 5-105. Violations -- Generally.

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(a) It is unlawful for any customer or consumer of potable water, be it city water or any city-approved potable water supply, to:

- (1) Create, or have created by other persons, any cross-connection involving any city-approved potable water.
- (2) Fail to install, or maintain, any air-gap or backflow assembly as required by the provisions of this division.
- (3) Fail to have any backflow assembly inspected and tested as required by the provisions of this division.
- (4) Fail to install any backflow assembly according to the city installation standards, as per the department.
- (5) Fail to protect any life form within any structure or on any premises from any nonpotable water source.

(b) The department may deny or discontinue, after reasonable notice to the occupants thereof, the water service to anyone using the city water distribution system to any premises where a backflow prevention device required by the provisions of this division is not installed, tested, maintained and repaired in a manner acceptable to the department, or if it is found that the backflow prevention device has been removed or bypassed, or if an unprotected cross-connection exists on the premises, or if a low pressure cutoff required by these regulations is not installed and maintained in working order. Reasonable notice to the occupant of a single-family dwelling shall be deemed given if in writing, mailed to the occupant at the address of the dwelling at least two (2) weeks prior to the contemplated disconnection. Reasonable notice to all others shall be deemed given when done so in writing and mailed to the address one (1) week prior to the contemplated disconnection. Water service to such premises shall not be restored until the consumer has corrected or eliminated such conditions or defects in conformance with these regulations and to the satisfaction of the department, and the required reconnection fee is paid.

(c) If the department determines that a customer's backflow preventive device does not meet current standards, the customer shall retrofit his device so that it will meet current standards.

(d) Customers that have water service prior to October 15, 1987, are subject to all requirements imposed by this division, if the department determines the degree of hazard or potential hazard requires a device to be installed.

(e) It shall be unlawful to violate any of the provisions of this chapter. A violation of this ordinance shall be a class one misdemeanor.

(f) Each violation of this ordinance is subject to a mandatory minimum fine of not less than

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one hundred dollars (\$100.00). In addition, the costs of prosecution of the action may be imposed at the discretion of the court. The magistrate court shall order any person convicted of a violation under this chapter to comply with the provisions of this chapter. The imposition of one penalty for any violation of this ordinance shall not excuse the violation or permit it to continue. All such persons shall be required to correct or remedy such violations and defects within a reasonable time; and each day that the prohibited condition is not corrected or remedied shall constitute a separate offense.

(g) A violation of this chapter may be punished by imposition of a civil penalty which shall not exceed two thousand five hundred dollars (\$2,500.00).

(Code 1977, §§ 8-2-12 -- 8-2-16)

(Ord. No. 91-39, 11/12/91)

Sec. 5-106. Same -- Commencement of actions, citation, etc.

(a) The utilities director, or any designee thereof, is authorized to investigate any complaints of violation of this chapter. Upon a determination of reasonable cause that a violation exists, the utilities director, or any designee thereof, may issue a notice of violation stating with reasonable particularity the nature of the violation to the violator.

(b) The notice of violation shall be similar to the uniform traffic ticket and complaint promulgated by the Arizona Supreme Court. Upon receipt of a notice of violation, a person may request a hearing on the violation. If a hearing is requested, the hearing officer shall designate a time and place for the hearing and notify the person and the public services director.

(c) At the hearing it shall be the burden of the utilities director, or the designee thereof, to prove by a preponderance of the evidence that a violation of this chapter has occurred. Formal rules of evidence shall not apply and the hearing officer may admit whatever evidence he or she deems relevant or prohibitive. If the hearing officer determines that a violation has occurred, he or she shall issue an order designating the continued noncompliance with this chapter to be a nuisance and imposing a civil penalty against the violator.

(d) Service of any notice required by this section shall be complete upon mailing it to the violator or by personal delivery to the violator or any agent thereof.

(e) Failure to respond timely to a notice of violation as described in this section shall result in a default being entered against the violator. Upon entering a default, the hearing officer shall enter an order as if a determination had been made that a violation had occurred.

(f) If a person has been served with a notice of violation under this section, he shall not be subject to a criminal charge arising out of the same facts.

(g) The city manager shall designate one or more individuals to act as administrative hearing officers for the purpose of hearing enforcement actions arising under this chapter.

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(h) The city attorney, or any person affected by the nuisance, may bring a civil action in the superior court to abate the nuisance.

State law reference(s) -- Notices to appear, A.R.S. § 13-3903.
(Code 1977, §§ 8-2-17 -- 8-2-20)
(Ord. No. 91-39, 11/12/91)
(Ord No. 02-41, 6/4/2002, Amended) SUPP 2002-2

Sec. 5-107. Same -- Collection of fines; lien; abatement of violation.

Any judgment for a civil fine and/or penalty imposed pursuant to this division shall constitute a lien against the real property of the defendant which may be perfected by recording a copy of the judgment under seal of the city with the county recorder. Any judgment for civil fines or penalties taken pursuant to this article may be collected as any other civil judgment. If the defendant fails to correct the violation charged within thirty (30) days of the issuance of the first citation, the city attorney may proceed without further notice to commence an injunctive action for abatement of the violation. Any action taken under this article shall be in addition to any other remedies.
(Code 1977, § 8-2-21)

Sec. 5-108. City's right of entry and to information.

The officer may enter at any reasonable time any property served by a connection to the public water supply or distribution system of the city for the purpose of verifying the presence or absence of cross-connections. The officer or his authorized agent may enter at any reasonable time any property served by a connection to the public water supply or distribution system of the city for the purpose of verifying information submitted by the customer regarding the required cross-connection control inspection. On demand the owner, lessees or occupants of any property so served shall furnish to the officer, any information which he may request regarding the piping system or water use on such property. The refusal of such information, when demanded, shall, within the discretion of the officer, be deemed evidence of the presence of improper connections as provided in this division. This shall hold true for any approved water supply from any source to the citizens of the city, be it private, auxiliary or emergency.
(Code 1977, § 8-2-4(F))

Sec. 5-109. Surveys and investigations.

(a) It shall be the duty of the department to cause surveys and investigations to be made of industrial and other properties served by the public water supply to determine whether actual or potential hazards to the public water supply may exist. Such surveys and investigations shall be made a matter of public record and shall be repeated at least every two (2) years, or as often as the department shall deem necessary. Records of such surveys shall be maintained and available for review for a period of at least five (5) years.

(b) Each survey shall be completed on a form approved by the department.

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(Code 1977, §§ 8-2-3(34), 8-2-4(E))

Sec. 5-110. City's right to discontinue water service.

The city shall discontinue, after reasonable notice to the occupant thereof, the water service to any property wherein any connection in violation of the provisions of this division is known to exist and take such other precautionary measures as the officer may deem necessary to eliminate any danger of contamination of the public water supply distribution mains. Water service shall not be restored until the conditions have been eliminated or corrected in compliance with the provisions of this division, and until the required reconnection fee is paid to the city. This shall hold true for any approved water supply from any source to the citizens of the city, be it private, auxiliary or emergency.

(Code 1977, § 8-2-4(C))

Sec. 5-111. General requirements.

(a) The owner or official custodian shall be responsible for protection of the public water supply system from contamination due to backflow or back-siphonage of contaminants through the customer's water service connection. If, in the judgment of the officer or his authorized representative, an approved backflow prevention device is necessary for the safety of the public water supply system, the officer shall give notice to the consumer to install such approved backflow prevention device at each service connection to the premises. The consumer, after due written notice and within the prescribed time indicated on the notice, shall install such approved device at his own expense, failure or refusal on the part of the consumer to install such device immediately shall constitute grounds for discontinuing water service to the premises until such device has been installed. The consumer shall retain records of installation, maintenance, testing and repair as required in this division.

(b) If in accordance with Section 5-44 of the Peoria City Code (1992), or in the judgment of the department, an approved backflow prevention assembly is necessary for the safety of the public water supply system, the department will give notice to the water customer to install such an approved assembly immediately. The water customer shall, at his own expense, install such an approved assembly at a location and in a manner in accordance with Section 5-44 of the Peoria City Code (1992).

(Code 1977, § 8-2-4(C), (D))

(Ord. No. 2011-22, 11/1/2011, Amended) SUPP 2011-4

Sec. 5-112. Cross-connection prohibited.

(a) Connections between the public water supply system and other systems or equipment containing water or other substances of unknown or questionable quality are prohibited except when and where approved cross-connection control devices or methods are installed, tested and maintained to ensure proper operation on a continuing basis. No connection shall be permitted

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between the public water supply system and any other water supply not of equal or better bacteriological and chemical quality as determined by inspection and analysis by the agency and/or the city. There shall be no arrangement or connection by which contamination may enter the public water supply system.

(b) It is the responsibility and financial obligation of the water consumer to prevent backflow into the public water supply system by ensuring that:

- (1) All cross-connections are removed, or approved cross-connection control assemblies are installed for control of backflow from backpressure and back-siphonage.
- (2) Cross-connection control assemblies shall be installed in accordance with the manufacturer's instructions and this division.
- (3) Cross-connection control assemblies shall be inspected at least annually by a person approved by the department as a cross-connection control tester. The inspection of mechanical devices shall include physical testing in accordance with the manufacturer's instructions, and those of the foundation, at the consumer's or owner's expense.

(Code 1977, § 8-2-5)

(Ord. No. 2011-22, 11/1/2011, Amended) SUPP 2011-4

Sec. 5-113. Testing and records.

(a) *Device.* Each device shall be tested at least annually or more frequently if recommended by the manufacturer, or the department, at the consumer's or owner's expense.

(b) *Records.* Records submitted to the city shall be available for inspection by agency personnel.

(c) *Identification.* Each assembly shall have a tag attached listing the manufacturer and serial number of the assembly.

(d) *Log.* A maintenance log shall be maintained and include the following:

- (1) Date of each test.
- (2) Name and approval number of person performing the inspection or test.
- (3) Test results/inspection.
- (4) Repairs or servicing required.
- (5) Repairs and date completed.

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(6) Services performed and date completed.

(7) Results of final test.

(e) *City records.* The department will maintain records of the types and locations of all assemblies used for the prevention of back flow in accordance with requirements of chapter 7, section H, paragraph 2, Arizona Department of Health Services Engineer Bulletin No. 10, Guidelines for the Construction of Water Systems, as amended.

(f) *Annual notification to test.*

(1) The City shall notify the customer via first class mail at least 60 days before the annual test compliance due date for each backflow prevention assembly.

(2) If by the annual compliance date the City does not receive the required test report, the City shall provide written notice via hand delivery or certified mail delivered to the customer of the City's intent to discontinue water service if the required annual test report is not received within five days of the confirmed delivery date.

(3) The customer shall not test any backflow prevention assembly more than 60 days prior to the annual test due date, unless a waiver is requested in writing and granted with written City approval.

(Code 1977, § 8-2-6)

(Ord. No. 2011-22, 11/1/2011, Amended) SUPP 2011-4

Sec. 5-114. Where protection required.

(a) A backflow prevention assembly approved by the officer shall be installed on each water service line to a customer's water system. Such approved backflow prevention assembly shall be installed prior to issuance of any certificate of occupancy for the structure to which the water system will provide service.

(b) An approved backflow prevention assembly shall be installed on each water service line to a consumer's water system where the following conditions exist:

(1) Premises having an auxiliary water system, unless such auxiliary water system is accepted as an additional source by the city and the source is approved by the agency and the council.

(2) Premises where any substance exists which can create an actual or potential hazard to the public water supply system.

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- (3) Premises having internal cross-connections that, in the judgment of the officer, are not correctable or intricate plumbing arrangements which made it impractical to determine whether or not cross-connections exist.
- (4) Premises where, because of security requirements or other prohibitions or restrictions, it is impossible or impractical to make a complete cross-connections survey.
- (5) Premises having a repeated history of cross-connections being established or reestablished.
- (6) Premises which utilize non-potable or reclaimed water.

(c) An approved backflow prevention assembly shall be installed on each water line to a consumer's water system serving, but not necessarily limited to, the following types of facilities or to isolate specific equipment or hazards unless the officer determines that no actual or potential hazard to the public water supply system exist:

- (1) Aircraft and missile plants, RP.
- (2) Animal clinics and animal grooming shops, RP.
- (3) Automotive plants, RP.
- (4) Auxiliary water systems (interconnected), RP.
- (5) Auxiliary water systems (not interconnected), RP.
- (6) Beverage bottling plants, RP.
- (7) Breweries, RP.
- (8) Buildings greater than three (3) stories or greater than thirty-four (34) feet in height from curb level, RP.
- (9) Buildings with house pumps and/or potable water storage tank, RP.
- (10) Canneries, packing houses and reduction plants, RP.
- (11) Carbonated beverage equipment, Stainless Steel, RP.
- (12) Car wash facilities or car washes with water reclamation system, RP.
- (13) Centralized heating and air conditioning plants, RP.

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- (14) Chemical plants, RP.
- (15) Chemically treated potable or nonpotable water systems, RP.
- (16) Commercial laundries, RP.
- (17) Cooling tower, boiler, condenser, chiller, and other cooling systems, RP.
- (18) Dairies and cold storage plants, RP.
- (19) Decorative fountain, baptismal, pond, or any location water is exposed to atmosphere, RP or Air Gap.
- (20) Dye works, RP.
- (21) Film processing laboratories, RP.
- (22) Food processing plants, RP.
- (23) High schools, grade schools, day-care centers, and colleges, RP.
- (24) Holding tank disposal stations, RP.
- (25) Hospitals and mortuaries, RP.
- (26) Medical and dental buildings or suites, sanitariums, rest and convalescent homes, RP.
- (27) Mobile home and travel trailer parks, RP.
- (28) Irrigation systems (premises having separate systems such as parks, playgrounds, cemeteries, golf courses, schools, estates, ranches, etc.), RP.
- (29) Laboratories using toxic materials, RP.
- (30) Manufacturing, processing and fabricating plants using toxic materials, RP.
- (31) Manufacturing, processing and fabricating plants using nontoxic materials, RP.
- (32) Motion picture studios, RP.
- (33) Non-Carbonated beverage equipment, DC.

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- (34) Oil and gas production facilities, RP.
- (35) Paper and paper production plants, RP.
- (36) Pesticide, herbicide, fertilizer, and chemical applicators, RP.
- (37) Plating plants, RP.
- (38) Radioactive materials processing facilities, RP.
- (39) Restricted, classified or other closed facilities, RP.
- (40) Recreational vehicle dump stations (sewer), or any other location where water may be exposed to bacteria, virus or gas, RP.
- (41) Rubber plants, RP.
- (42) Sand and gravel plants, RP.
- (43) Sewage and storm drainage facilities, RP.
- (44) Any premises where a cross-connection is maintained, RP.
- (45) Water trucks, temp. water storage units, hydraulic sewer cleaning equipment, street sweepers, steel wheeled rollers, RP or air-gap.
- (46) Water treatment facilities and all water processing equipment (other than residential water softeners), RP.
- (47) X-ray equipment, printing equipment, or any other photographic processing equipment, RP.
- (48) Any premises on which chemicals, oils, solvents, pesticides, disinfectants, cleaning agents, acids or other pollutants and/or contaminants are handled in a manner by which they may come in direct contact with water, or there is evidence of the potential to contact water, RP.
- (49) Any premises where water supplied by the city is subject to deterioration in sanitary quality and its entry into the public water system is permitted, DC.
- (50) Any connection to a fire hydrant (except fire department equipment), RP.

(Code 1977, § 8-2-7)

(Ord. No. 2011-22, 11/1/2011, Amended) SUPP 2011-4

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Sec. 5-115. Type of protection required.

(a) The type of protection required shall depend on the degree of hazard which exists as follows:

- (1) An approved fixed air gap or an approved reduced pressure zone principle backflow prevention assembly shall be installed where the public water supply system may be contaminated causing a system health hazard.
- (2) An approved fixed proper air gap separation or an approved DC backflow prevention assembly shall be installed where the public water supply system may be polluted with substances that could cause a pollution hazard not dangerous to health.

(b) All American Water Works Association classes 1, 2 and 3 fire systems six (6) inches in size and larger or any system three (3) inches in size and larger constructed of a piping material not approved as a potable water system material per Section 5-44 of the Peoria City Code (1992) by the city shall have a DC. All American Water Works Association classes 4, 5 and 6 shall have an RP. Fire systems where backflow protection is required on the industrial/domestic service connection that is located on the same premises, both service connections will have adequate backflow protection for the highest degree of hazard effecting either system.

(c) Any property with more than one (1) water service shall, at the discretion of the department have backflow protection on each service to the property.

(d) At the discretion of the department a strainer shall be required on assemblies.
(Code 1977, § 8-2-8)
(Ord. No. 2011-22, 11/1/2011, Amended) SUPP 2011-4

Sec. 5-116. Backflow prevention devices.

(a) All backflow prevention assemblies required by the provision of this division shall be approved by the department. Installation of an approved assembly shall be made in accordance with the departmental regulations. Maintenance as recommended by the manufacturer of the device, and the department, shall be performed. The manufacturer's maintenance manual shall be available on-site. Installation standards are available at the department. All backflow prevention assemblies shall be testable units and equipped with test cocks.

(b) The assembly shall have a diameter at least equal to the diameter of their service connection or service line at the point of connection. Each service connection will require its own backflow prevention assembly.

(c) The assembly shall be in an accessible location and installed as close to the service connection as practicable.

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(d) All backflow prevention assemblies must comply with the standards of the department and the provisions of this division. A double check valve assembly shall only be used to protect against a nonhealth hazard (i.e. pollutant). A double check-detector valve assembly shall only be used to protect against a nonhealth hazard (i.e., pollutant).

(Code 1977, §§ 8-2-3(8), (15), (16), 8-2-9)

(Ord. No. 2011-22, 11/1/2011, Amended) SUPP 2011-4

Sec. 5-117. Inspection and maintenance.

(a) *Generally.* The consumer at premises on which backflow prevention assembly required by the provisions of this chapter are installed shall have inspection, tests, maintenance and repair made in accordance with the following schedule or more often where inspections indicate a need or are specified in manufacturer's instructions, at the consumer's expense:

- (1) Fixed proper air gap separations shall be inspected at the time of installation and at least annually thereafter.
- (2) Double check valve assemblies shall be inspected and tested for tightness at the time of installation or repair and at least annually or more frequently if recommended by the manufacturer, or the department.
- (3) Reduced pressure principle backflow prevention devices shall be tested at the time of the installation and at least annually or more frequently if recommended by the manufacturer, or the department.
- (4) All commercial pressure vacuum breakers shall be tested at the time of the installation or repair and at least annually or more frequently if recommended by the manufacturer, or the department.

(b) *Testing.* Testing shall be performed by a person who has been approved by the department. Proof of approval shall be in writing. Testing procedures shall be conducted in accordance to the current edition of the University of Southern California Foundation for Cross-Connection Control and Hydraulic Research Manual for Cross-Connection Control. Testers who wish to perform backflow testing within the City must possess and maintain the following credentials:

- (1) Complete and sign an application for recognition.
- (2) Certified as a backflow assembly tester from an agency approved by the Department.
- (3) Test Gauge calibration reports.
- (4) Liability insurance policy with a \$1,000,000 minimum liability per occurrence.

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- (5) Commercial Arizona Registrar of Contractors License as determined by the Department.
- (6) City of Peoria Tax & Business License.

(c) *Repairs.* Whenever backflow prevention assemblies required by these regulations are found to be defective, they shall be repaired or replaced at the expense of the consumer within forty-five (45) days or as specified by the officer.

(d) *Alterations.* Backflow prevention assemblies shall not be bypassed, made inoperative, removed or otherwise made ineffective without specific authorization by the department.

(e) *Rebuilding.* All backflow prevention assemblies shall be rebuilt as determined by the officer.

(f) *Security.* All backflow assemblies installed shall have a chain with a padlock from the first O.S. & Y. valve to the second O.S. & Y. valve, or an alarm system, or both.

(g) *Painting.* All backflow assemblies shall be painted tan or a color to match the background.

(h) *Test cocks.* Test cocks are to be used for testing only, any unauthorized use is unlawful. All test cocks shall have plugs in place at all times. These plugs shall only be removed for testing.
(Code 1977, § 8-2-10)
(Ord. No. 2011-22, 11/1/2011, Amended) SUPP 2011-4

Sec. 5-118. Booster pumps.

Where a booster pump has been installed on the service line to or within any premises, such pump shall be equipped with a low pressure cutoff device designed to shut off the booster pump when the pressure in the service line on the suction side of the pump drops to twenty (20) pounds per square inch or less. It shall be the duty of the water consumer to maintain the low pressure cutoff device in proper working order and to certify to the department at least once a year that the device is operable.
(Code 1977, § 8-2-11)

Secs. 5-119. through 5-125. Reserved.

(Ord. No. 90-38, 8/28/90)

Sec. 5-126. Reserved.

(Ord. No. 07-11, 4/17/07, Repealed)

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Sec. 5-127. Reserved.

(Ord. No. 07-11, 4/17/07, Repealed)

Secs. 5-128. through 5-130. Reserved.

(Ord. No. 90-38, 8/28/90)

Sec. 5-131. Reserved.

(Ord. No. 98-102, 9/22/98, Repealed)

(Code 1977, art. 15-2)

Sec. 5-132. Reserved.

(Ord. No. 98-102, 9/22/98, Repealed)

(Code 1977, § 15-1-2)

Sec. 5-133. Reserved.

(Ord. No. 98-102, 9/22/98, Repealed)

(Code 1977, § 15-1-3)

Sec. 5-134. Reserved.

(Ord. No. 98-102, 9/22/98, Repealed)

(Code 1977, § 15-1-4)

Sec. 5-135. Reserved.

(Ord. No. 98-102, 9/22/98, Repealed)

(Code 1977, § 15-3-1)

Sec. 5-136. Reserved.

(Ord. No. 98-102, 9/22/98, Repealed)

(Code 1977, § 15-3-7)

Sec. 5-137. Reserved.

(Ord. No. 98-102, 9/22/98, Repealed)

(Code 1977, § 15-3-3)

Sec. 5-138. Reserved.

(Ord. No. 98-102, 9/22/98, Repealed)

(Code 1977, § 15-3-8)

Sec. 5-139. Reserved.

(Ord. No. 98-102, 9/22/98, Repealed)

(Code 1977, § 15-3-9)

Sec. 5-140. Reserved.

(Ord. No. 98-102, 9/22/98, Repealed)

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(Code 1977, § 15-3-2)

Sec. 5-141. Reserved.
(Ord. No. 98-102, 9/22/98, Repealed)
(Code 1977, §§ 15-3-4 -- 15-3-6)

Sec. 5-142. Reserved.
(Ord. No. 98-102, 9/22/98, Repealed)
(Code 1977, § 15-3-10)

Sec. 5-143. Reserved.
(Ord. No. 98-102, 9/22/98, Repealed)
(Code 1977, § 15-4-2(E))

Secs. 5-144. through 5-151. Reserved.

Sec. 5-152. Reserved.
(Ord. No. 98-102, 9/22/98, Repealed)
(Code 1977, § 15-4-2(A) -- (D), (F) -- (H))

Sec. 5-153. Reserved.
(Ord. No. 98-102, 9/22/98, Repealed)
(Code 1977, § 15-4-1)

Sec. 5-154. Reserved.
(Ord. No. 98-102, 9/22/98, Repealed)
(Code 1977, §§ 15-6-1, 15-6-2)

Secs. 5-155. through 5-161. Reserved.

Sec. 5-162. Special flood hazard areas; standards for construction.

In all areas of special flood hazards the following standards are required:

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- (1) *Anchoring.*
 - a. All new construction and substantial improvements shall be anchored to prevent flotation, collapse or lateral movement of the structure.
 - b. All manufactured homes shall meet the anchoring standards of section 5-166.
- (2) *Construction materials and methods.*
 - a. All new construction and substantial improvements shall be constructed with materials and utility equipment resistant to flood damage.
 - b. All new construction and substantial improvements shall be constructed using methods and practices that minimize flood damage.
- (3) *Elevation and floodproofing.*
 - a. New construction and substantial improvement of any structure shall have the lowest floor, including basement, elevated to or above the regulatory flood elevation. Nonresidential structures may meet the standards in subsection c. of this section. Upon the completion of the structure the elevation of the lowest floor including basement shall be certified a professional engineer or surveyor and provided to the floodplain administrator.
 - b. New construction and substantial improvement of any structure in zone AD shall have the lowest floor, including basement, higher than the highest adjacent grade at least one (1) foot higher than the depth number on the FIRM, or at least two (2) feet if no depth number is specified. Nonresidential structures may meet the standards in subsection c. of this section. Upon completion of the structure a registered professional engineer shall certify to the floodplain administrator that the elevation of the structure meets these standards.
 - c. Nonresidential construction shall either be elevated in conformance with subsection (3)a. or b. of this section or together with attendant utility and sanitary facilities complies with all of the following:
 1. Be floodproofed so that below the regulatory flood level the structure is watertight with walls substantially impermeable to the passage of water.
 2. Have structural components capable of resisting hydrostatic and

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hydrodynamic loads and effects of buoyancy.

3. Be certified by a registered professional engineer or architect that the standards of this subsection are satisfied. Such certifications shall be provided to the floodplain administrator.
- d. Require, for all new construction and substantial improvements, that fully enclosed areas below the lowest floor that are subject to flooding shall be designed to automatically equalize hydrostatic flood forces on exterior walls by allowing for the entry and exit of floodwaters. Designs for meeting this requirement must either be certified by a registered professional engineer or architect to meet or exceed the following minimum criteria:
1. A minimum of two (2) openings have a total net area of not less than one (1) square inch for every square foot of enclosed area subject to flooding shall be provided.
 2. The bottom of all openings shall be no higher than one (1) foot above grade.
 3. Openings may be equipped with screens, louvers, valves, or other coverings or devices provided that they permit the automatic entry and exit of floodwaters.
- e. Manufactured homes shall meet the above standards and also the standards in section 5-166.

(Code 1977, § 15-5-1)

Sec. 5-163. Standards for storage of materials and equipment.

(a) The storage or processing of materials that are in time of flooding buoyant, flammable, explosive, or could be injurious to human, animal or plant life is prohibited.

(b) Storage of other material or equipment may be allowed if not subject to major damage by floods and if firmly anchored to prevent flotation or if readily removable from the area within the time available after flood warning.

(Code 1977, § 15-5-2)

Sec. 5-164. Floodwaters; standards for utilities.

(a) All new and replacement water supply and sanitary sewage systems shall be designed to minimize or eliminate infiltration of floodwaters into the system and discharge from systems into flood- waters.

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(b) On-site waste disposal systems shall be located to avoid impairment to them or contamination from them during flooding.

(c) Waste disposal systems shall not be installed wholly or partially in a floodway.

Cross reference(s) -- Water, sewers and sewage disposal, Ch. 25.

(Code 1977, § 15-5-3)

Sec. 5-165. Flood hazard areas; standards for subdivisions.

(a) All preliminary subdivision proposals shall identify the flood hazard area and the elevation of the base flood.

(b) All final subdivision plans will provide the elevation of proposed structures and pads. If the site is filled above the base flood, the final pad elevation shall be certified by a registered professional engineer or surveyor and provided to the floodplain administrator.

(c) All subdivision proposals shall be consistent with the need to minimize flood damage. All subdivision proposals shall have public utilities and facilities such as sewer, gas, electrical and water systems located and constructed to minimize flood damage. All subdivisions shall provide adequate drainage to reduce exposure to flood hazards.

Cross reference(s) -- Subdivisions, Ch. 24.

(Code 1977, § 15-5-4)

Sec. 5-166. Flood elevations; Standards for manufactured homes.

All new and replacement manufactured homes and additions to manufactured homes shall:

(1) Be elevated so that the bottom of the structural frame or the lowest point of any attached appliances, whichever is lower, is at the regulatory flood elevation.

(2) Be securely anchored to an adequately anchored foundation system to resist flotation, collapse or lateral movement.

(Code 1977, § 15-5-5)

Sec. 5-167. Special flood hazard areas; requirements for floodways.

Located within areas of special flood hazard established in section 5-140 are areas designated as floodways. Since the floodway is an extremely hazardous area due to the velocity of floodwaters which carry debris, potential projectiles, and erosion potential, the following provisions apply:

(1) Encroachments, including fill, new construction, substantial improvements, and other development are prohibited unless certification by a registered professional engineer

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or architect is provided demonstrating that encroachments shall not result in any increase in flood levels during the occurrence of the base flood discharge.

- (2) All new construction and substantial improvements shall comply with all other applicable flood hazard reduction provisions of this division.

(Code 1977, § 15-5-6)

CHAPTER 9 – FIRE PREVENTION AND PROTECTION

Sec. 9-1. Fire Department; establishment, divisions.

(a) There shall be a Fire Department. The Director of the Fire Department, who shall be the Fire Chief, shall be appointed by the City Manager and confirmed by the City Council. The position shall be an unclassified position and shall serve at the pleasure and the will of the City Manager and not subject to the City merit system.

(b) The fire department shall consist of four divisions: Administration, Training, Prevention and Operations.

(Code 1977 § 4-2-7)

(Ord. No. 00-116, 7/18/2000, Repealed) SUPP 2000-3

(Ord. No. 00-116, 7/18/2000, Enacted) SUPP 2000-3

(Ord. No. 02-46, 6/7/2002, Amending (b)) SUPP 2002-2

(Ord. No. 09-30, 08/25/09, Amending (b)) SUPP 2009-3

Sec. 9-2. Fire department; division managers.

Each division within the Fire Department shall be headed by a position designated by the Fire Chief, with the approval of the City Manager. Such positions shall be classified positions subject to the city merit system.

(Code 1977, §4-2-5)

(Ord.No. 00-116, 7/18/2000, Repealed) SUPP 2000-3

(Ord.No. 00-116, 7/18/2000, Enacted) SUPP 2000-3

Sec. 9-3. Fire Department; fire chief, powers and duties.

The Fire Chief shall have the following powers and duties:

(a) Direct the operations of the fire department, subject to the city charter, this code and the rules and regulations of the fire department as approved by the city manager.

(b) Provide for designees of the fire chief to plan and direct the extinguishment of fires where the fire department responds. During the progress of a fire the authority of the fire chief shall be absolute in all matters directly concerning the extinguishment of the fire and the disposition of property endangered by it.

(c) Provide for training and or instruction in the operation and handling of equipment, first aid and rescue work, salvage, a study of buildings in the city, water supplies and all other matters generally considered essential to the safety of life and property from fire.

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(d) Assist the proper authorities in suppressing the crime of arson by investigating or causing to be investigated the cause, origin and circumstances of all fires.

(e) Enforce the Fire Code promulgated by a recognized technical trade association and adopted by the City and such other fire related codes as adopted by the City.

(f) Designate such members of the Fire Department as inspectors as from time to time as becomes necessary.

(g) Keep complete records of all fires, inspections, apparatus and equipment, personnel and other information about the work of the department open to inspection by the public to the extent required by law.

(h) Make a complete annual report, in writing, to the council at such time as may be specified by the council, and such report shall include the information specified in subsection (6) of this section, together with comparative data for previous years and recommendations for improving the effectiveness of the department

(i) Enforce or cause to be enforced all ordinances, laws and regulations of the city and state, insofar as they pertain to fire and safety.

(j) Develop and submit to the City Manager for approval such Fire Department rules and regulations as may from time to time be necessary and appropriate.

(k) Perform such other duties as may be assigned by the City Manager.
(Code 1977, § 5-1-9(A))
(Ord.No. 00-116, 7/18/2000, Repealed) SUPP 2000-3
(Ord.No. 00-116, 7/18/2000, Enacted) SUPP 2000-3

Sec. 9-4. Fire department; position classification plan.

The city manager shall promulgate a position classification plan for the fire department. The plan shall establish specific positions assigned to the ranges and steps within the city's pay plan. The promulgation of a position classification plan shall not create any obligation upon the city council to appropriate funds for any position within the plan.
(Ord.No. 00-116, 7/18/2000, Enacted) SUPP 2000-3

Sec. 9-5. Fire Department; pension funds, volunteers, firefighters.

(a) A volunteer firemen's relief and pension fund is established pursuant to A.R.S. title 9, ch. 8, art. 3 [§ 9-951 et seq.]. The Mayor with the consent of the council shall appoint members to the Board of Trustees of the Volunteer Firemen's Relief and Pension Fund in accordance with the

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provisions of this code. The city may also purchase a private benefit plan for individuals covered under this fund.

(b) A firemen's relief and pension fund is established pursuant to A.R.S. tit. 9, ch. 8, art. 3 [§ 9-951 et seq.].
(Ord.No.00-116, 7/18/2000, Renumbered from Section 9-20) SUPP 2000-3
(Ord.No.00-116, 7/18/2000, Enacted) SUPP 2000-3

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Secs. 9-6 through 9-15. Reserved
(Ord.No.00-116, 7/18/2000) SUPP 2000-3

Sec. 9-16. Reserved.
(Code 1977, § 4-2-1(A))
(Ord.No. 00-116, 7/18/2000, Repealed and Reserved) SUPP 2000-3

Sec. 9-17. Reserved.
(Code 1977, § 4-2-1(A))
(Ord.No. 00-116, 7/18/2000, Repealed and Reserved) SUPP 2000-3

Sec. 9-18. Reserved.
(Code 1977, § 4-2-3)
(Ord.No. 00-116, 7/18/2000, Repealed and Reserved) SUPP 2000-3

Sec. 9-19. Reserved.
(Code 1977, § 4-2-2)
(Ord.No. 00-116, 7/18/2000, Repealed and Reserved) SUPP 2000-3

Sec. 9-20. Reserved.
(Code 1977, § 4-2-1)
(Ord.No. 00-116, 7/18/2000, Renumbered, Repealed and Reserved) SUPP 2000-3

Secs. 9-21. through 9-30. Reserved.

CHAPTER 9 – FIRE PREVENTION AND PROTECTION

Sec. 9-31. International Fire Code – Adopted.

(a) There is adopted by the City for the purpose of prescribing minimum regulations governing conditions hazardous to life and property from fire and explosion, that certain code which is now on file in the City Clerk’s office known as the “International Fire Code (IFC) 2006 Edition” as amended from time to time and not inconsistent with anything herein provided, and the Referenced Standards as published by the International Code Council, as amended from time to time and not inconsistent with anything herein provided and that such codes and standards may hereafter be referred to as the IFC and the following appendix chapters.

(b) Where there is a conflict between the provision of the International Fire Code and this Chapter of the City Code, the more restrictive shall apply.

(c) The following Appendices of the International Fire Code are adopted in their entirety.

- Appendix B-Fire-Flow Requirements for Buildings
- Appendix C-Fire Hydrant Location and Distribution
- Appendix D-Fire Apparatus Access Roads
- Appendix E-Hazard Categories
- Appendix F-Hazard Ranking
- Appendix G- Cryogenic Fluids, Weight and Volume Equivalents

Charter reference(s) -- Adoption by reference, art. VII, § 14.

State law reference(s) -- Adoption by reference, A.R.S. § 9-801 et seq.

(Code 1977, § 4-3-1)

(Ord. No. 90-30, 8/28/90)

(Ord. No. 96-95, 11/19/96, 1994 edition adopted)

(Ord. No. 00-116, 7/18/2000, 1997 edition adopted with Appendices) SUPP 2000-3

(Ord. No.03-168, 9/2/2003, 2000 International Edition adopted with Appendices) SUPP 2003-3

(Ord. No.07-35, 11/06/07, 2006 International Edition adopted with Appendices) SUPP 2007-4

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Sec. 9-32 International Fire Code; definitions.

(a) “Adult Day Health Care Facility,” for purposes of Arizona Department of Health Services regulations as may be amended from time to time, means a facility providing adult day health services during a portion of a continuous twenty-four hour period for compensation on a regular basis for five or more adults not related to the proprietor. These are classified as I-4 occupancies.

(b) “Assisted Living Center,” for purposes of Arizona Department of Health Services regulations as may be amended from time to time, means an assisted living facility that provides resident rooms or residential units to eleven (11) or more residents. These are classified as I-1 or I-2 occupancies.

(c) “Assisted Living Facility,” for purposes of Arizona Department of Health Services regulations as may be amended from time to time, means any residential care institution, including adult foster care, that provides or contracts to provide supervisory care services, personal care services, or directed care services on a continuing basis. These are classified under R-3, R-4, I-1, or I-2 occupancies.

(d) “Assisted Living Home,” for purposes of Arizona Department of Health Services regulations as may be amended from time to time, means an assisted living facility that provides resident rooms or residential units for ten (10) or fewer residents. These are classified as follows: 5 or less residents = R-3 occupancy, 6-10 residents = R-4 occupancy.

(e) “Competent on-site person” is the individual that is the responsible party on the job site that is directly supervising the fire protection system installation.

(f) “Direct Self-Care,” for purposes of Arizona Department of Health Services regulations as may be amended from time to time, means a resident that is ambulatory and is able to direct their own care. (Required for any resident housed on a floor that does not open to the ground floor.)

(g) “Direct Supervision” means the physical presence of a manager, caregiver, or responsible person providing direction during an activity or function.

(h) “Directed Care Services,” for purposes of Arizona Department of Health Services regulations as may be amended from time to time, means programs and services, including personal care services provided to persons who are incapable of recognizing danger, summoning assistance, expressing need or making basic care decisions. These are classified as follows: 5 or less residents = R3 occupancy, 6 or more residents = I2 occupancy, non-self preserving.

(i) Where the words “Fire Code Official” are used in the International Fire Code, they shall be held to mean the Fire Chief or their designee

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(j) “Impairment” means decreased strength, value, amount, or quality. An impaired fire protection system is a system that will not function as required by national standards. The impairment can be caused by damage, alterations, lack of maintenance, or poor design.

(k) Where the words “Jurisdiction” are used in the International Fire Code, they shall be held to mean the City of Peoria.

(l) Where the words “Legal Counsel” are used in the International Fire Code, they shall be held to mean the City Attorney for the City of Peoria, Arizona.

(m) “Non-Self Preserving,” for purposes of Arizona Department of Health Services regulations as may be amended from time to time, means persons not capable, physically or mentally, of responding to an emergency situation without physical assistance from staff.

(n) “Personal Care Services,” for purposes of Arizona Department of Health Services regulations as may be amended from time to time, means assistance with activities of daily living that can be performed by persons without professional skills or professional training and includes the coordination or provision of intermittent nursing services and the administration of medications and treatment by a nurse who is licensed pursuant to A.R.S. Title 32, Chapter 15, or as otherwise provided by law. These are classified as follows: licensed for 5 residents or less = R3 occupancy, licensed for 6 residents or more = I-2 occupancy.

(o) “Residential Care Institution,” for purposes of Arizona Department of Health Services regulations as may be amended from time to time, means a health care institution other than a hospital or a nursing care institution which provides resident beds or residential units, supervisory care services, personal care services, directed care services, or health-related services for persons who do not need inpatient nursing care.

(p) “Self Preserving,” for purposes of Arizona Department of Health Services regulations as may be amended from time to time, means persons capable, physically and mentally, of responding to an emergency situation without physical assistance from staff.

(q) “Supervisory Care Services,” for purposes of Arizona Department of Health Services regulations as may be amended from time to time, means general supervision, including daily awareness of resident functioning and continuing needs, the ability to intervene in a crisis, and assistance in the self-administration of prescribed medications. This can be in any type of facility because the residents are self preserving.

(Code 1977, §§ 4-3-5 -- 4-3-8)

(Ord. No. 90-30, 8/28/90)

(Ord. No. 00-116, 7/18/2000, Repealed) SUPP 2000-3

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(Ord. No. 00-116, 7/18/2000, Renumbered from Section 9-33) SUPP 2000-3

(Ord. No. 03-168, 9/2/2003, 2000 International Edition adopted w/Appendices) SUPP 2003-3

(Ord. No. 05-34, 8/1/2005, 2003 International Edition, local amendments) SUPP 2005-3

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Sec. 9-33. International Fire Code, Local Amendments.

(a) Section 102.3 Change of Use or Occupancy is amended by replacing the words *International Existing Building Code*” with “Currently adopted Fire Code and amendments.” designating the existing text as subsection 1 and adding the following paragraph as subsection 2.

Section 102.3 Change of Use or Occupancy.

2. All changes of occupancy shall be coordinated with the Fire Marshal prior to issuance of a Temporary or Permanent Certificate of Occupancy.

(b) Section 102.4 Application of building code is amended by adding the words “and the currently adopted Fire Code and amendments” after “International Existing Building Code.”

(c) Section 102.5 Historic buildings is amended by adding the words “and the currently adopted Fire Code and amendments” after “International Existing Building Code.”

(d) Section 104.3 Right of entry is hereby amended by adding the following:

The Fire Department shall inspect, as often as necessary, buildings and premises, including such other hazards or appliances designated by the Fire Chief for the purposes of ascertaining and causing to be corrected any of the conditions which would reasonably tend to cause fire or contribute to its spread, or any violation of the purpose or provisions of this code and of any other law or standard affecting fire safety. Any person who refuses entry for purposes of this provision shall be in violation of Peoria City Code Section 9-43(a) and subject to the penalties prescribed in Peoria City Code Section 9-42, including civil sanctions identified in 9-42(b).

(e) Section 104.6 Official Records is hereby amended by adding the following:

104.6.5 Required information. Each business and building owner shall provide the following information to the Fire Code Official upon request: Responsible party address, responsible party telephone number, building owner address, building owner telephone number, square footage of the building and/or leased space, Insurance company name, Insurance company policy number, and Insurance company telephone number.

(f) Section 104.10. Fire Investigations is amended with the following new section:

104.10 Fire Investigations. The Fire Department shall investigate or cause to be investigated promptly the cause, origin and circumstance of each and ever fire occurring in the jurisdiction involving loss of life or injury to a person or destruction or damage to property, and if it appears to the member of the Fire Department making the investigation that such fire is of suspicious origin, the

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member shall notify the appropriate law enforcement agency and shall secure the site until the law enforcement agency takes control of the site. The Fire investigator shall continue to pursue the investigation to its conclusion.

(g) Section 104.11.4 Restricting Public Access is amended with the following new section:

It shall be the duty of the Police Department, at the time of any fire, to place ropes or guards across all streets, lanes or alleys on which shall be situated any building on fire, and at such other points as are deemed expedient and necessary. Any person entering within the line indicated by such ropers or guards and refusing to go outside such lines when directed to do so by any police officer or officer of the fire department shall be guilty of a class one misdemeanor.

(h) Section 105 Permits, 105.1.1 Permit Required, is amended by renumbering the existing text as subsection 1 and adding the following as subsection 2.

2. It shall be unlawful for any person, firm or corporation to use a building or premises or engage in any activities for which a permit is determined to be required by the Fire Code Official without having first obtained such permit from the Fire Department.

(i) Section 105.2 Application is amended with the following new section.

Section 105.2. Application. Application for a permit required by this code shall be made to the fire code official in such form and detail as prescribed by the fire code official no later than thirty (30) days prior to date of the event. Applications for permits shall be accompanied by such plans as prescribed by the fire code official.

Scope. Fees for reviewing plans, issuing permits and conducting inspections relating to construction or installation of automatic sprinkler systems, fire alarm system, hood and duct fire-extinguishing systems and other fire- and life-safety systems for compliance with the International Fire Code and other laws and ordinances, and other services provided shall be set by the Fire Department. The following contains a Uniform Fees and Charges Program for the City of Peoria Fire Department.

Permit and Service Fees Ordinance

Purpose. The purpose of this ordinance is to establish fees for specific Fire Code permits as defined in the International Fire Code, as adopted by this jurisdiction and for the establishment of fees for service performed by the Fire Department.

Definitions. All terminology not defined in this chapter shall be defined as stated in the International Fire Code as adopted by this jurisdiction. Permits and Service Fees. A fee in accordance with the

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following schedule shall be paid to the Fire Department at the time of application for: (1) a RENEWABLE PERMIT, (2) and INSTALLATION or REMOVAL and ALTERATION PERMIT, (3) an ACTIVITY PERMIT, (4) any OTHER SERVICE, (5) any RECORDS, PHOTOGRAPHS or DOCUMENTS, or (6) a HAZARDOUS MATERIALS STORAGE PERMIT. Such fee shall not be refunded upon failure of an applicant to receive the permit. Failure to apply for necessary permits or services may result in an order from the Fire Marshal to obtain a permit or service. Fees are payable upon permit application. Failure to pay for permit, plan review or inspection fees imposed by this fee schedule, within the time period specified, shall render such permit null and void.

EXCEPTION: These permit charges shall not apply to activities of nonprofit Corporations or civic or fraternal organizations that possess an Internal Revenue Service tax exempt status. However, these groups will be assessed plan review and inspection fees.

Standard Hourly Fee: There shall be a standard hourly fee of fifty dollars (\$50.00), with a one (1) hour minimum, charge for all inspection and plan review work unless specifically exempted. All reinspections (follow-up inspections) shall be charged at the standard hourly fee with a one (1) hour minimum, unless otherwise specified. All inspections, plan reviews and consultations shall be charged this standard hourly fee, unless otherwise specified. The overtime hourly fee shall be one and one half (1 ½) the standard hourly fee, when the department is requested to review plans or conduct inspections outside of the normal work day.

Renewable Permit Fees: When an inspection or plan review is conducted by the Fire Prevention Division to ensure proper design, installation or permit compliance, the standard hourly fee for the first hour of inspection or the first hour of plan review, when required, shall be paid at the time of application. Fees for subsequent hours of plan review shall be paid prior to the issuance of a permit. The permit fee shall be in addition to the standard hourly fee in accordance with Table 9-33(a)
Renewable Permit Fees: Inspection and Plan Review Fees for Installation,

Removal or Alterations of Equipment.

When an inspection or plan review is conducted by the Fire Department to ensure proper design and installation, the standard hourly fee for the first hour of inspection or the first hour of plan review, when required, shall be paid at the time of application. Fees for subsequent hours of plan review shall be paid prior to the issuance of the permit. Fees for subsequent hours of inspection shall be paid prior to issuance of a Certificate of Occupancy. All Fees shall be in accordance with Table 9-33(b).

Inspection or Plan Review Fees for Activity Permits

General. When an inspection or plan review is conducted by Fire Prevention to ensure proper design, installation or permit compliance, the standard hourly fee for the first hour of inspection or the first hour of plan review, when required, shall be paid at the time of application. Fees for subsequent

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hours of plan review and inspection shall be paid prior to the issuance of the permit. A separate permit for a specific period of time shall be obtained for each location where such operations are performed. The permit fees shall be in addition to the standard hourly fee in accordance with Table 9-33 (c)

Annual Hazardous Materials Storage Permit Fee

The annual fee, based on quantities stored, manufactured, used in process, sold, transported or otherwise utilized in the form of liquids, solids or gases. When there are multiple forms the highest range will be used, as set forth in Table 9-33(a)

- (j) Section 105.3.1 Expiration is amended by adding the following:

Operational Permits shall expire on December 31st each year unless otherwise noted. If application for an Operational Permit is made after July 1st of the calendar year the permit fee shall be 50% of the annual fee and the permit will expire on December 31st and then must be renewed annually thereafter.

- (k) Section 105.6.2 Amusement building is amended with the following new section:

Section 105.6.2 Amusement buildings. An operational permit is required to operate a special amusement building for a period of time not to exceed 45 days. Plans shall be submitted to the Fire Department and approved 30 days before the opening of the building or structure to the public.

- (l) Section 105.6.23 Hot Work Operations is amended by adding the following section:

Section 105.6.23.1 Hot Work Permits. Operational permits are required to be filled out by the responsible party for the site, structure, occupancy, or property prior to the hot work operation. Hot work permits must be kept on file for 90 days and be made available to the Fire Department or any other regulatory agency upon request.

- (m) Section 105.6 is amended by adding the following section:

Section 105.6.47 Home Delivery of Liquid Oxygen. An operational permit is required from the Fire Department in order to deliver liquid oxygen to residential occupancies.

- (n) Section 901.10 Fire Protection Equipment is amended and shall read as follows:

Section 901.10.1 All Class “A” Fire Alarms shall be designed and installed in such a manner that the failure, removal, or destruction of any single alarm-actuating or alarm-indicating device or break in the wiring circuit will not interfere with the normal operation of any other such devices.

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Section 105.7.13.2 Any person, corporation, partnership or other entity engaged in the business of design, install, monitor, sell, or service within the City of Peoria shall, obtain a permit from the Fire Department. The permit application shall include the following: Copy of State and City license and Copy of Certification.

(o) Section 107.5 is amended by adding the following:

1. A fee (Table 9-33 (d) Fees for Other Services) shall be assessed to the building owner for the annual inspection and for all re-inspections required to gain compliance with this Code.
 - i. If a building is occupied by a business occupancy that is different from the owner, then the business occupancy shall be required to pay the assessed inspection fees.
 - ii. If a building is occupied by the owner or is vacant, then the owner shall be required to pay the assessed inspection fees.
2. If a building is split into multiple occupancies, the inspection fees shall be assessed as follows:
 - i. Each separate business occupancy that is required to possess and maintain a City of Peoria business license shall be assessed inspection fees based on the square footage of the specified space within the building that has been issued a Certificate of Occupancy for such business. The owner shall not be responsible to pay the inspection fees for any separate business occupancy within the building.
 - ii. For all portions of a building that are not under the control of separate business occupancies subject to subsection (i), the owner shall be responsible to pay the inspection fees, which shall be calculated by adding together all of the square footage in those portions of the building.
3. A fee will not be charged for additional inspections that the Fire Chief deems necessary throughout the year.

(p) Section 108 is amended as follows:

Section 108.3 is amended by adding the following paragraphs:

- (1) The Fire Board of Appeals shall be composed of a total of five (5)

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regular members. All members of the Board shall be appointed by the Mayor with the approval of the City Council in accordance with the provisions of this Code. The members of the Board shall consist of:

- (a) One member shall be an Arizona registered fire protection engineer.
 - (b) One member shall be an NICET Level III or higher licensed contractor in fire alarm systems.
 - (c) One member shall be an NICET Level III or higher licensed contractor in fire sprinkler systems.
 - (d) One member shall be an Arizona licensed electrical or mechanical contractor.
 - (e) One member who is a private citizen, familiar with the construction industry and trades who is a resident of the City.
- (2) All members shall serve without pay. However, members may be reimbursed for their actual expenses incurred in connection with their duties upon authorization or ratification by the City Council.
 - (3) Members shall be appointed in accordance with the Fire Code, with the initial terms being staggered. Members currently serving who do not meet these qualifications shall continue to serve until their terms are expired.
 - (4) The Fire Code Board of Appeals is authorized to hear appeals of the final decision the Fire Code Official relative to the application and interpretation of this Code.
 - (5) A written appeal, outlining the Code provision from which relief is sought and the remedy proposed, shall be submitted to the designated Clerk for the Fire Board of Appeals within 15 calendar days of notification of a final decision or determination subject to appeal.
 - (6) The Board may uphold, modify, or overrule in whole or in part the final decision.

Section 108.4 Administrative appeal. Whenever a violation of this code has been found and

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the applicant wishes to appeal the decision of the staff because the code or the rules legally adopted thereunder have been incorrectly interpreted or an equivalent method of protection or safety is proposed, an appeal may be filed as follows:

1. The applicant shall file a written appeal, within ten (10) working days after receiving notice of the violation. The appeal shall be filed with the Building Official and a copy filed with the Fire Chief. At this time, the applicant may request an informal review before the Fire Code Official.
2. If an applicant requests an informal review, the review will be heard by the Fire Code Official or his designee within 15 working days after the request is filed. The chief, or an authorized representative, may use a Committee consisting of such staff as is deemed appropriate to provide advice on a particular request for informal review.
3. The applicant shall provide specific information on the basis for the appeal and the relief requested.
4. If the informal review upholds the decision of the Fire Official, the applicant shall comply with the requirement(s) of the fire code or request a hearing by the Board of Appeals within ten (10) working days following the informal review as provided in Sec. 108.3 of this code.

(q) Section 109 is amended as follows:

109.3.Violation penalties.

Penalties for violations of this Code are set forth in Peoria City Code, Sections 9-36 through 9-43.

® Section 202 is amended to include the following additional definitions.

Section 202 – General Definitions

The following definitions are hereby added to read as follows:

Access grades shall include the table set forth in this definition.

All weather surfaces (AW) is a road surface made up of materials compacted to 90% and capable of supporting vehicles in excess of 75,000 pound gross vehicle weight (GVW) under any weather condition.

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Commercial occupancy: Commercial occupancy is any building that falls under the International Building Code occupancy classification of A, B, E, F, H, I, M, R-1, R-2, R-4, and S.

(s) Section 308.3.6 is amended by adding the following additional subsections:

308.3.6.1 Audience control. The audience shall be at least 30 feet away from the closest projection of an open flame device. Audience control shall be established by use of a physical barrier which can be easily moved or removed in the event of an emergency and shall remain in place throughout the entire performance.

308.3.6.2 Attendant. Performances shall be constantly attended by a person knowledgeable in the use of a fire extinguisher at the rate of at least 1 attendant for every 2 active devices. Attendants shall remain at the performance until all the fire has been extinguished.

308.3.6.3 Fire extinguishers. Adequate fire extinguishing equipment including but not limited to buckets of water, water soaked rags, water extinguishers, charged hose lines, shall be readily available for use during the performance. Portable fire extinguishers shall be provided at a minimum of one 20BC extinguisher for every four simultaneous devices.

308.3.6.4 Clearance from Combustibles. A 25 foot clearance from all combustibles shall be maintained in all directions.

(t) Section 308 is amended to add Section 308.6 which shall read as follows:

Section 308.6 Flaming Food and Beverage Preparation.

308.6.1 General. The preparation of flaming foods or beverages in places of assembly and drinking or dining establishments shall be in accordance with Section 308.6.

308.6.2 Dispensing. Flammable or combustible liquids used in the preparation of flaming foods or beverages shall be dispensed from one of the following:

1. A 1-ounce (29.6 ml) container or
2. A container not exceeding 1-quart (946.5-ml) capacity with a controlled-pouring device that will limit the flow to a 1-ounce (29.6-ml) serving.

308.6.2.1 Containers not in use. Containers shall be secured to prevent spillage when not in use.

308.6.2.2 Serving of flaming food. The serving of flaming foods or beverages shall

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be done in a safe manner and shall not create high flames. The pouring, ladling or spooning of liquids is restricted to a maximum height of 8 inches (203 mm) above the receiving receptacle.

308.6.2.3 Location. Flaming foods or beverages shall be prepared only in the immediate vicinity of the table being serviced. They shall not be transported or carried while burning.

308.6.2.4 Fire protection. The person preparing the flaming foods or beverages shall have a wet cloth towel immediately available for use in smothering the flames in the event of an emergency.

(u) Section 311 is amended to delete exceptions 1 and 2 under section 311.2.2.

(v) Section 314.4, item 3 is amended and shall read as follows:

3. Fuel tanks and fill openings are closed and sealed to prevent tampering and the escape of vapors.

(w) Section 316 is added and which shall read as follows:

Section 316 – HEAT-PRODUCING APPLIANCES

Sec. 316.1 General. Heating appliances shall be installed and maintained in accordance with their listing and the Building, Electrical, and Mechanical codes. Clearance from combustible material shall be maintained as set forth in the Building and Mechanical codes and the product listing.

Sec. 316.2 Clothes dryers. Clothes dryers shall be frequently cleaned to maintain the lint trap, mechanical and heating components free from excessive accumulations of lint.

EXCEPTION: Clothes dryers within private dwelling units of Group R occupancies.

(x) Section 401.1. Scope is amended by deleting the exception in its entirety.

(y) Section 401.3 is amended to add Section 401.3.1 which shall read as follows:

401.3.1 False Alarms shall not be given, signaled or transmitted in any manner.

(z) Section 403.1.2 is amended to add Section 403.1.2.3 which shall read as follows:

403.1.2.3 Crowd managers; All public assembly occupancies with an occupant load of 150 or more shall have crowd managers as described in Section 2404.20.

(aa) Section 408.2 is amended to add Section 408.2.3 which shall read as follows:

Section 408.2.3 Automatic External Defibrillators (AED). All Public Assembly occupancies

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with an occupant load of three hundred (300) or greater shall be equipped with AEDs so that they optimally achieves a 3-minute response time from the collapse of a patient to on-scene arrival of the AED with a trained lay rescuer, in accordance with the American Heart Association recommendations and the following conditions:

1. The installations of AEDs are a life safety device and the maintenance of the device shall be the responsibility of the owner of the Certificate of Occupancy.
2. It shall be the responsibility of the owner to obtain and maintain medical oversight from a licensed physician.
3. It shall be the responsibility of the owner to train its employees in Cardio Pulmonary Resuscitation and the use of AEDs in accordance with the Guidelines of the American Heart Association or the Red Cross.
4. Training and equipment maintenance records shall be kept on premises and be available to the fire Department upon request.
5. AEDs shall be mounted in an accessible spot free from blocking by storage and equipment. The top of the AED shall be not more than 5 ft (1.5 m) above the floor. The AED should be easy to reach and remove and should be placed where it will not be damaged -- on hangers or in the brackets supplied by the manufacturer, mounted in cabinets, or placed on shelves.

(bb) Section 501.3 Construction Documents is amended and which shall read as follows:

Section 501.3 Construction Documents. Construction documents for proposed fire apparatus access, location of fire lanes, means of egress, fire protection systems, hydraulic calculations for fire hydrants and suppression systems, and construction documents specifying interior finish and fire resistance rated construction shall be submitted to the Fire Department; in addition to Building Safety for review and approval prior to construction. Upon completion of construction and prior to issue of a Certificate of Occupancy, a copy of finished drawings shall be supplied to the Fire Department in the following format:

501.3.1 Record Electronic Files: A copy of the building site plan, fire alarm system, fire sprinkler system shall be provided in Portable Document Format (PDF).

(cc) Section 501 is amended to add section 501.5 which shall read as follows:

Section 501.5. Wildland/Urban Interface Areas. Areas considered by the Fire code official to be classified as “Wildland/Urban Interface” shall meet the requirements of the 2003 International Urban-Wildland Interface Code.

(dd) Section 503.2 is amended to add Section 503.2.7 which shall read as follows:

Section 503.2.7. The grade of the fire apparatus access road shall be within the limits

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established by the Fire Code Official based upon the Fire Department's apparatus. The maximum grade(s) allowable are:

1. Major Arterials – 9.0%
2. Minor Arterials – 9.0%
3. Couplets – 9.0%
4. Rural/ESL Minor Collectors – 12.0%
5. Local Collectors – 12.0%
6. Local Residential – 15.0%

With the following conditions:

1. All residential and commercial structures where any access grades exceed 10% must be equipped throughout with an automatic fire sprinkler system that meets the requirements of the 2006 International Fire Code and the Peoria Fire Code Amendments.
2. All residential and commercial structures and developments meet the requirements of the 2003 International Urban-Wildland Interface Code (IUWIC)
3. All residential and commercial structures are constructed to the minimum level of Class 1 Ignition Resistant Construction as defined in Section 504 of the 2003 IUWIC.

(ee) Section 503.3 is amended and shall read as follows:

Sec. 503.3 Fire apparatus access roads posting. Every fire apparatus access roadway required under the authority of this section shall be posted with signs readable from either direction of travel and vertically installed at points not more than eighty (80) feet on center along the length of the required fire apparatus access roadway. Fire Lane signs, with indicating arrows, shall be posted at the beginning and end of each fire lane with the indicating arrow pointing in the direction of the fire lane. If the fire lane is intersected by a drive, then a two-way arrow shall be installed at that location.

In lieu of signs the curb can be painted red and marked "NO PARKING FIRE LANE" in four (4) inch white block letters on the vertical face of the curb and spaced eighty (80) feet on center.

Only fire apparatus access roadways required under the authority of this section or as approved by the Chief may be posted or identified as such. Unauthorized use of signs shall be removed.

Sec. 503.3.1 Maintenance. The person(s) in possession of the premises on and into which a fire apparatus access roadway is required shall be solely responsible for the maintenance of such roadways and all required signs. No owner, manager or other person(s) in charge of premises served by a required fire apparatus access roadway shall abandon or close the fire apparatus roadway or any

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part thereof without permission of the code official.

The person(s) in possession of the premises shall be responsible in ensuring that fire apparatus roadways are clear at all times.

(ff) Section 503.4 Obstruction of Fire Apparatus Roads is amended and shall read as follows:

Sec. 503.4 Obstruction of fire apparatus roads. The required width of any fire apparatus access roadway on City or private property shall not be obstructed in any manner, including the parking or stopping of any vehicle other than an authorized emergency vehicle. A vehicle parked illegally in a fire apparatus access roadway may be removed and impounded under the provisions of the Peoria Code. An owner or operator of a vehicle parked illegally in a fire apparatus access roadway or the person responsible for any non-vehicular obstruction shall be guilty of a misdemeanor.

(gg) Section 503.6 Security Gates is added and shall read as follows:

Sec. 503.6.1 Gate Access (Information and Scale Plans shall be submitted to the Fire Department for a permit)

503.6.1.1 All gates limiting access will be required to provide emergency Access controls for Fire Department entry.

503.6.1.2 The gates shall be designed so that the access roadway or turning radius (WB50) shall not be obstructed by the operation of the gate. Minimum set back from the public streets shall be a distance determined by the City Engineer and allow the emergency vehicle the ability to safely operate the lock box or panel. Turning radius from the public street shall be WB50.

503.6.1.3 Clear width of the roadway shall be minimum of twenty (20) feet clear width on all entrances. Exit roadways shall be a minimum of sixteen (16) feet clear width or larger on all exits. Unless otherwise approved by the fire department.

503.6.1.4 Sub-divisions may have a divided entrance and exit gates. The entrance side shall have a clearance of twenty (20) feet clear width, the exit side sixteen (16) feet clear width.

503.6.1.5 Access controls shall be exterior to the gate and located for activation by the vehicle operator without dismounting from the vehicle. The height of the lock box/control panel shall be sixty-six (66) inches, measured from the finished grade line of the street.

503.6.1.6 The lock box, padlock or key switch, must be an approved model utilized by the Peoria Fire Department. Lock Box Authorized Forms may be picked up at the City of Peoria Fire

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Prevention, Monday through Friday 8:00 am to 9:00 am.

503.6.1.7 Traffic Preemption opening device shall be on all motorized gates. Opticom, 3M, Model 722 receiver (no coding model) shall be used.

EXCEPTION: Fire Stations are not required to provide a preemption opening device.

503.6.1.8 Gates must open to a clear width of twenty (20) feet within twenty (20) seconds of activation and remain in the open position until closed by operation of the electrical control device.

503.6.1.9 The control pedestal must be identified with a minimum six (6) inch by Ten (10) inch sign with red letters on a white background. This sign must be securely fastened to the pedestal and legible from the approaching vehicle. EMERGENCY FIRE DEPARTMENT ACCESS.

503.6.1.10 Battery back-up for all motorized gates is required, unless the gate fail safe (open) in the event of a power failure

503.6.1.11 Secondary “Exit Only” gates shall be set up for Fire Department emergency access. Exit only gates, which are not motorized, shall be installed per City of Peoria Fire Department Standard detail. Details are available at the City of Peoria Fire Prevention. Exit only gates shall have a minimum clearance of twenty (20) feet clear width and be posted with a sign that states “Caution Gate Opens Out.” The ground shall be painted with a yellow strip showing the depth of the gate swing.

503.6.1.12 Operation at the gate shall be by pre-emption device and key switch.

(hh) Section 505.1 is amended to read as follows:

505.1 Address numbers. New and existing buildings shall have approved address numbers, building numbers or approved building identification placed in a position that is plainly legible and visible from the street or road fronting the property.

Address numbers shall be installed according to City of Peoria address display requirements.

(ii) Section 506.1. is amended by adding subsection 506.1.2. which shall read as follows:

Section 506.1.2 Locations Key boxes shall be installed in a location to be determined by the Fire Code Official. A full set of keys to open all areas inside and outside the structure, to include the fire alarm panel, shall be placed inside the key box. Key Boxes are to be located no higher than 60 inches above finished grade.

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(jj) Section 508.1 is amended to read as follows:

508.1 Required water supply. An approved water supply capable of supplying the required fire flow for fire protection shall be provided to premises upon which facilities, building or portions of buildings are hereafter constructed or moved into or within the jurisdiction. Where property is subdivided with or without the creation of public or private streets for the express purpose of providing said subdivided parcels for sale or otherwise permitting separate and/or individual development to occur, an approved water supply capable of supplying the projected fire flow for fire protection shall be provided and extended to serve directly any and all subdivided properties. The projected fire flow will be based on the greatest potential demand posed by any type of occupancy allowed by zoning laws on the projected property.

(kk) Section 508.5.1 is amended to read as follows:

Sec. 508.5.1. Where required. Where a portion of a facility or building hereafter constructed or moved into or within the jurisdiction is more than 300 feet (91.5m) from a fire hydrant on a fire apparatus access road, as measured by approved route around the exterior of the facility or building, additional fire hydrants and/or mains shall be provided where required by the fire code official.

Exception:

1. For Group R-3 and Group U Occupancies, the distance requirement shall be 500 feet (122m).

(ll) Section 508.5.2. is amended to include the following new subsection 508.5.2.1 pertaining to required installations:

Sec. 508.5.2.1 Required installations. Fire hydrants installed as a result of any order or permit shall be spaced so that short hose lines can be employed and so there are a sufficient number of fire hydrants within a reasonable distance to obtain the required fire flow as determined using Appendix B. In other than single family residential areas, hydrants shall be spaced so that they are not more than 300 feet (91.5m) apart. For single-family residential areas, hydrants shall be spaced so that they are not more than 500 feet (152.5m) apart and not more than 400 feet (122m) hose lay distance from any structure. Hydrant spacing and hose lay requirements may be modified by the code official when all structures are protected with automatic fire sprinkler systems in accordance with Section 903.3.1.1, 903.3.1.2 or 903.3.1.3

Private fire hydrants. All private fire hydrants (those not on the City of Peoria water system and located on private property) must be flushed and maintained annually in accordance with the American Water Works Association, Manual of Water Supply Practices, Installation Field Testing and Maintenance of Fire hydrants, AWWA M17. Selected hydrants, as determined by the Fire Chief, shall

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be tested to determine Available Fire Flow according to test procedures outlined in the American Water Works Association Manual of Water Supply Practices, Distribution System

Public Fire Hydrants. All public fire hydrants must be flushed and maintained annually in accordance with the American Water Works Association, Manual of Water Supply Practices, Installation Field Testing and Maintenance of Fire hydrants, AWWA M17. Selected hydrants, as determined by the Utilities Director, shall be tested to determine Available Fire Flow according to test procedures outlined in the American Water Works Association Manual of Water Supply Practices, Distribution System Requirements for Fire Protection, AWWA M31.

Fire Hydrants. All fire hydrants shall be wet barrel as defined by AWWA M17 and specified by the City of Peoria Public Works/Engineering Department. Fire Hydrants used in commercial applications shall have two (2) – 2 ½ inch outlet and one (1) – 4 ½ inch outlet. Fire Hydrants used in residential (R-3) applications shall have one (1) – 2 ½ inch outlet and one (1) – 4 ½ inch outlet.

(mm) Section 508.5.3 pertaining to Private fire service mains and water tanks shall be amended to read as follows:

508.5.3 Private fire service mains and water tanks. Private fire service mains and water tanks shall be periodically inspected, tested and maintained in accordance with NFPA25 at the following intervals:

1. Private fire hydrants (all types): Inspection annually and after each operation; flow test and maintenance annually.
2. Fire service main piping: Inspection of exposed, annually; flow test ever 5 years.
3. Fire service main piping strainers: Inspection and maintenance after each use.
4. Fire hydrant systems. Plans and specifications for fire hydrant systems shall be submitted to the Fire Department for review and approval prior to construction. Plans and specifications for fire hydrant systems shall be submitted to the Fire Department for review and approval prior to City Council action on the final subdivision plat, or in the case of an individual building or structure, for review and approval prior to issuance of the building permit. The Fire Department shall obtain the approval of the Engineering Department on the submitted plans and specifications.
5. Each water service provider, whether municipal or private shall submit to the Fire Department a map identifying the location of fire hydrants within the service area of the water provider. The map required under this subsection shall be submitted on or before

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December 31, of each year, and shall be updated by the water service provider as new fire hydrants are installed. On May 31, of each subsequent year, a map identifying the location of the fire hydrants within the service area of the water provider shall be submitted to the fire department.

In the event a water service provider fails to submit the map required under subsection (5) of this section, the Fire Department is authorized to prepare a map of the fire hydrant locations within the service area of water service provider, and charge the cost of preparation of the map to the water service provider, together with an administrative fee equal to fifteen percent of the cost of preparation of the map.

A water service provider, whether municipal or private having a portion of its service area in which no distribution or service lines are located, shall identify such areas on the map required by this subsection. Such areas shall be exempt from the requirements of Sections 508.1 through 508.4 and Appendix B and C until distribution or service lines are installed by the water service provider.

6. On or before December 31, of each year, each water service provider, whether municipal or private shall have prepared and filed with the City, a plan that: (1) indicates sufficient hydrants on all streets within its water service area containing water utility distribution or service lines to comply with the requirements of International Fire Code, Appendix C-Fire Hydrant Locations and Distribution, including but not limited to Table C105.1 or (2) a five year Capital Improvement Plan indicating plans for the construction of sufficient hydrants on all streets within its water service area containing water utility distribution or service lines to comply with the requirements of International Fire Code, Appendix C- Fire Hydrant Locations and Distribution, including but not limited to Table C105.1 within five (5) years from the date of submission of the plan.

On or before January 10, of each year following submission of the plan, the Fire Department shall file with the City Clerk, the Directors of Community Development, Utilities Department, Engineering Department and the applicable water provider, a written notice indicating each water service provider who is not in compliance with the requirements of subsection (5) of this section. Upon filing of the written notice with the City Clerk, no building permit shall be issued within the service area of a water service provider who is not in compliance with the requirements of subsection (5) of this section, unless the permit requires an automatic sprinkler system with applicable fire flow requirements complied with to be installed within the structure.

7. A water service provider that believes a notice has been improperly issued under this section, may appeal the issuance of the notice to the City Manager, by filing a written

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notice of appeal to the City Manager within ten (10) days after filing of the Notice in subsection (6) with the City Clerk. The City Manager or his designee shall hold a hearing on the appeal within thirty (30) days after filing of the appeal.

(nn) Section 511 Fire-Fighters Air Systems is added and shall read as follows:

Section 511 - FIRE FIGHTERS AIR SYSTEMS.

511.1 Fire Fighters Air Systems. All buildings having floors used for human occupancy located five (5) stories or more above or below the lowest level of fire department vehicular access shall be equipped with an approved rescue air replenishment system. Such system shall provide an adequate pressurized air supply through permanent piping system for the replenishment of self contained breathing apparatus carried by fire suppression, rescue and other personnel in the performance of their duties. Location and specification of access stations, and the installation of such air replenishment system shall be made in accordance with the requirements and standards of the fire chief.

(oo) Section 512 Public Safety Radio Amplification System is added and shall read as follows:

Section 512. PUBLIC SAFETY RADIO AMPLIFICATION SYSTEM

512.01 Purpose. The purpose of this article is to provide minimum standards to insure a reasonable degree of reliability for emergency services communications from within certain buildings and structures within the city to and from emergency communications centers. It is the responsibility of the emergency service provider to get the signal to and from the building site.

512.02 Scope

512.02.1 The provisions of this article shall apply to new buildings and structures of construction greater than fifty thousand (50,000) square feet or modifications made within any twelve (12) month period and exceed fifty percent (50%) of the value of the existing building(s) or structure(s), or the use of the property is expanded or enlarged by fifty percent (50%), which have not received a final inspection prior to the adoption of these provisions; and All basements or sub-level parking structures over ten thousand (10,000) square feet where the design occupant load is greater than fifty (50), regardless of the occupancy. For the purpose of this section, area separation walls cannot be used to define separate buildings.

512.03 Radio coverage.

512.03.1 Except as otherwise provided in this article, no person shall erect

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construct or modify any building or structure or any part thereof, or cause the same to be done which fails to support adequate radio coverage for firefighters and police officers. A final inspection shall not be approved for any building or structure that fails to comply with this requirement.

512.03.2 The city's Telecommunications unit with consideration of the appropriate police, fire and emergency medical department services, at the time the building permit is issued, shall determine the frequency range or ranges that must be supported. For the purpose of this section, adequate radio coverage shall constitute a successful communications test between the building and the communications centers for all appropriate emergency service providers for the building.

(pp) Section 901.2 is amended by deleting Section 901.2.1 in its entirety and enacting the following new subsections.

Sec. 901.2.1 Plans for fire sprinkler systems. Complete plans and hydraulic calculations for fire sprinkler systems installations shall be submitted for review and approval prior to beginning installation, modification or alteration. Plans shall be drawn to an indicated scale, on sheets of uniform size and shall show, as a minimum the data required by NFPA 13-2002. Water supply data for hydraulic calculations shall be based on the available water supply as determined by flow test information less a 10psi safety factor. An additional copy of these plans shall be submitted in an electronic format suitable to the fire department.

901.2.2 Fire Plan submittals shall be in accordance with the standard plan review format as provided by the Arizona Automatic Fire Alarm Association. Sprinkler Plan submittals shall be provided in accordance with the standard plan submittal as provided by the Arizona Fire Marshals Association.

901.2.3 Plan Certification for fire alarms and occupant notification. All fire alarm and occupant notification system plans shall be designed by a professional registrant in accordance with the Arizona Board of Technical Registration. Fire alarm installation drawings shall bear a review certification of a minimum NICET Level III in Fire Alarms.

901.2.4 Plan certifications for fire sprinkler systems. All fire sprinkler system plans shall be designed by a professional registrant in accordance with the Arizona Board of Technical Registration. Fire alarm installation drawings shall bear a review certification of a minimum NICET Level III in Fire Alarms.

901.2.5 Plan certification for all other fire protection systems. Plan certification for all other fire protection systems will be accompanied by a certification of competence when required.

901.2.6 On-Site Plans. Plans and specifications shall be submitted to the fire department for

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review and approval prior to construction. One set of fire department approved plans shall be on the job site for each inspection.

(qq) Section 901.4. Installation is amended to read as follows:

901.4 Installation. Fire protection systems shall be maintained in accordance with the original installation standards for that system. Systems shall be extended, altered, or augmented as necessary to maintain and continue protection whenever the building is altered, remodeled or added to. Alterations to fire protection systems shall be done in accordance with applicable standards.

(rr) Section 901.6 is amended by adding the following new subsections 901.6.3 Testing and 901.6.4 Qualifications of Testing Personnel which shall read as follows:

901.6.2.2 Records. All individuals/businesses performing tests, maintenance, or repair on any fire protection system shall forward itemized reports of such work to the Fire Code Official within 30 days of the work performed.

Exception: R3 and R5 occupancies not including residential care facilities.

Section 901.6.3 Testing. All fire protection systems and fire extinguishers (fire alarms; fire hydrants; fire sprinklers; standpipes; Halon systems and other special types of automatic fire extinguishing systems; basement pipe inlets; and other fire-protection systems and appurtenances) shall be tested annually or as required by nationally recognized standards. System test certification shall be retained by the occupant of the building where the system is located and a copy mailed to the Peoria Fire Department, Fire Prevention Division. These systems shall be inspected, tested and maintained by a contractor holding a permit from the City of Peoria Fire Prevention Division.

Section 901.6.4 Qualifications of Testing Personnel. All permitted personnel must meet one or more of the qualifications listed in Section 901.10.2 of these amendments.

(ss) Section 901.7. Systems out of service is amended to read as follows:

901.7 Systems out of service. Where a required fire protection system is out of service, the fire department and the fire code official shall be notified immediately, and where required by the fire code official, the building shall either be evacuated or an approved fire watch shall be provided for all occupants left unprotected by the shut down until the fire protection system has been returned to service.

Where utilized, fire watches shall be provided with at least one approved means for notification of the fire department and their only duty shall be to perform constant patrols of the

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protected premises and keep watch for fires.

No required fire sprinkler system or fire alarm system shall be placed out of service for more than 8 hours in any one day without written authorization by the fire code official.

(tt) Section 901.10 is amended by adding Section 901.10.2 as follows:

Section 901.10.2 Each fire protection system installation, modification, or inspection job shall receive “direct supervision” from a “competent on-site person” or persons possessing the following necessary approvals:

Section 901.10.2.1 For Fire Alarm installation, modification, or inspections one or more of the following:

1. National Institute of Certification in Engineering Technology (NICET) fire alarm level II;
2. Successful completion of Local Exam; or
3. Other certification acceptable to the Fire Code Official.

Section 901.10.2.2 For Fire Sprinkler System and underground fire line installation, modification, or inspections one or both of the following:

1. Successful completion of Local Exam; or
2. Other certification acceptable to the Fire Code Official.

Section 901.10.2.3 For Fire Special Hazard Fire System installation, modification or inspection for one or more of the following:

1. National Institute of Certification in Engineering Technology (NICET) special hazards suppression systems level II;
2. Successful completion of Local Exam; or
3. Other certification acceptable to the Fire Code Official.

Section 901.10.2.4 The “competent on-site person” shall have in their possession documentation of their qualifications and a picture I.D. These documents must be presented to the Fire Code Official or designated representative upon request.

(uu) Section 903.1. General is amended to read as follows:

Sec. 903.1.1 All commercial occupancies for which a building or construction permit is obtained shall be equipped throughout the entire structure with a fully automatic sprinkler system meeting the requirements of NFPA 13.

Existing occupancies will not require retrofitting of the fire sprinkler system to code standards unless:

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1. Structure fire resistance is decreased; or
2. Building area is enlarged and the total square foot of the building is increased to more than two thousand five hundred (2500) square feet; or
3. Building occupant load is increased; or
4. Building occupancy classification is changed to a more hazardous occupancy.
5. Buildings having a fire or other casualty damages exceeding fifty percent (50%) of their fair market valuation at the time of the fire or other damage will require retrofitting of sprinkler systems.

Unless otherwise required by the Fire Code, vehicle parking, gasoline dispensing island canopies, and porte cocheres attached to or within three (3) feet of a building shall have automatic fire sprinkler installation.

EXCEPTION: Unattached outer buildings two-hundred (200) square feet or less do not require fire sprinklers. Unattached outer buildings of two hundred (200) square feet or less shall be located three (3) feet or more from any structure on the property.

903.1.1.2 Identification of sprinkler system capabilities and limitations. An adhesive label shall be permanently installed at or adjacent to each sprinkler riser. When a building contains more than four risers, the sign shall be located at an approved location inside the building. When sprinkler risers are located outside of the building, the sign shall be stamped metal. The minimum sign dimension is 6-inches high by 4-inches wide. The sign shall specify the capabilities and limitations of the automatic sprinkler system. The sign shall include the following information:

1. The design base or basis, including the edition used.
2. A statement indicating if the sprinkler design is the control mode density area method, control mode specific application, suppression mode, or any combination thereof.
3. When used, all of the storage conditions stipulated NFPA 13, Section 12.7 for special designs.
4. The maximum storage height.
5. The minimum required aisle width.
6. If storage is in racks, the maximum rack width and minimum transverse and longitudinal flue widths.
7. Commodities that can be protected by the automatic sprinkler system.
8. Commodities that cannot be protected by the automatic sprinkler system.
9. Limits on storage heights of idle wood and plastic storage.
10. Limits on storage heights of miscellaneous Group A plastic, tire and rolled paper

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- storage.
11. Locations where in-rack sprinklers are required.
 12. Locations where horizontal and/or vertical barriers are required.
 13. Information explaining the manufacturer, sprinkler identification number, k-factor, and operating temperature of the overhead sprinklers protecting the high pile storage.

Section 903.1.3 Fire Protection Equipment is amended and shall read as follows:

Section 903.1.3 Fire Protection Equipment

Section 903.1.3.1 All Class “A” Fire Alarms shall be designed and installed in such a manner that the failure, removal, or destruction of any single alarm-actuating or alarm-indicating device or break in the wiring circuit will not interfere with the normal operation of any other such devices.

(vv) Section 903.2.2 is amended to read as follows:

Sec. 903.2.2 Group E. An automatic fire sprinkler system shall be provided throughout all Group E Occupancies.

(ww) Section 903.2.7 “Group R” is amended by adding the following subsections which shall read as follows:

903.2.7.1 Group R Division 2 Occupancies.

903.2.7.1.1 **New Construction:** All new Group R, Division 2 occupancies shall be required to install a residential fire sprinkler system for the FIRE AREA of the building. If any portion of a patio has livable space directly above the patio, the patio shall have sprinkler protection below the livable space.

903.2.7.1.2 **Remodeling:** If an existing Group R, Division 2 occupancy requires a City permit to modify the structure, then the existing and new portions of the occupancy shall be required to have a residential fire sprinkler system if any one or more of the following conditions exist:

903.2.7.1.2.1 The FIRE AREA square footage of the building, including the remodel, is five thousand (5,000) square feet or greater.

903.2.7.1.2.2 Fire flows to the entire building cannot be met in accordance with Appendix B Fire Flow Requirements For Buildings and Table B105.1 Minimum Required Fire Flow and Flow Duration For Buildings.

903.2.7.1.2.3 The occupancy is not connected to a public or public service corporation water

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system.

903.2.7.2 Group R, Division 3 Occupancies.

903.2.7.1 Group R, Division 3 Occupancies South of and immediately adjacent to the centerline of Dixileta Road alignment and East of the Agua Fria River. In any new Group R, Division 3 occupancies located South of Dixileta Road alignment and East of the Agua Fria River alignment where the FIRE AREA square footage of the building is five thousand (5000) square feet or greater, an automatic sprinkler system shall be installed throughout the building.

903.2.7.2.1.1. Exception: Residential sprinklers shall be permitted to be omitted from such occupancies if both of the following conditions are met: (1) the FIRE AREA square footage is less than five thousand (5000) square feet, and (2) the required fire flows are met in accordance with Appendix B-Fire Flow Requirements For Buildings and Table B105.1 Minimum Required Fire Flow and Flow Duration For Buildings.

If the fire flows cannot be met, a residential sprinkler system shall be installed.

903.2.7.2.1.2 Remodeling: If an existing occupancy is to be changed by the enclosure of existing patios, porches, entry ways, or by the addition of new enclosed space which increases the total square footage of the Fire Area as defined in this Code to Five Thousand (5,000) square feet or greater, then this requirement shall apply.

903.2.7.2.1.3 Livable Space Above Patios: If a residence has sprinkler protection and any portion of a patio has livable space directly above the patio, the patio shall have sprinkler protection below the livable space.

Exception: FIRE AREA shall exclude covered unenclosed patios if there is no livable space directly above.

903.2.7.2.1.4 Home Buyer Option: In any new Group R, Division 3 occupancies located South of the Dixileta Road alignment and East of the Agua Fria River alignment, each builder, contractor or developer shall offer to each home buyer as an option, at the time of purchase, a residential fire sprinkler system.

903.2.7.2.1.4.1 The option shall include a competitive cost of installing an automatic fire sprinkler system equipped with residential fire sprinkler heads for the FIRE AREA of the structure. This option is to be included on the development list of options.

903.2.7.2.1.4.2 The builder, contractor or developer shall provide to each home buyer a copy of educational materials prepared by the City on residential fire sprinkler systems with each

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model price list.

903.2.7.2.1.4.3 A signed affidavit, using a form approved by the Peoria Fire Department, by the buyer indicating that this option was offered shall be retained by the developer at his home office, available for inspection by the City for a period of one (1) year from the time of closure of the residence.

903.2.7.2.2 Group R, Division 3 Occupancies North of and immediately adjacent to the centerline of Dixileta Road Alignment and West of the Agua Fria River.

903.2.7.2.2.1 **New Construction:** In all new Group R, Division 3 occupancies located North of the Dixileta Road alignment and West of the Agua Fria River alignment, an automatic sprinkler system shall be installed throughout the building.

903.2.7.2.2.2 **Remodeling:** If an existing Group R, Division 3 occupancy located North of the Dixileta Road alignment and West of the Agua Fria River alignment requires a City permit to modify the structure, then the existing and new portions of the occupancy shall be required to have a residential fire sprinkler system if any one or more of the following conditions exist:

903.2.7.2.2.2.1 The FIRE AREA square footage of the building, including the remodel, is five thousand (5,000) square feet or greater.

903.2.7.2.2.2.2 Fire flows to the entire building cannot be met in accordance with Appendix B Fire Flow Requirements For Buildings and Table B105.1 Minimum Required Fire Flow and Flow Duration For Buildings.

903.2.7.2.2.2.3 The occupancy is not connected to a public or public service corporation water system.

903.2.7.2.3 Wildland/Urban Interface. In Group R, Division 3 occupancies in areas that are classified by the code official as Wildland/Urban Interface, if an occupancy has a private or shared drives leading to one or more single family dwelling, the occupancy shall be required to install a residential fire sprinkler system for the FIRE AREA of the building.

903.2.7.2.4 **Water Supply.** In Group R, Division 3 occupancies that are new or require a City permit to modify the structure, regardless of location, if they are not connected to a public or public service corporation water system and are on a private well, an automatic sprinkler system shall be installed throughout the building. If any portion of a patio has livable space directly above the patio, the patio shall have sprinkler protection below the livable space.

903.2.7.3 Group R, Division 4 Occupancies.

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903.2.7.3.1 **New Construction:** All new Group R, Division 4 occupancies licensed by the Arizona Department of Health Services for more than five (5) residents or day care shall be required to install a residential fire sprinkler system for the FIRE AREA of the building. If any portion of a patio has livable space directly above the patio, the patio shall have sprinkler protection below the livable space.

903.2.7.3.2 **Remodeling:** If an existing Group R, Division 4 occupancy that is licensed by the Arizona Department of Health Services for more than five (5) residents or day care requires a City permit to modify the structure, then the existing and new portions of the occupancy shall be required to have a residential fire sprinkler system.

903.2.7.4 **Urban-Wildland Interface Area.** All Group R Occupancies in an Urban-Wildland Interface Area shall comply with the 2003 International Urban-Wildland Interface Code and the following:

903.2.7.4.1 Definitions:

Drive Length is measured from the entrance of the drive to the structure.

Drive Width is measured from the edges of the designated improved drivable surface. 2-12-2 and 2-16-2, is a 2 foot clear AW surface on both sides of a 12 or 16 foot hard surface drive.

Grade is the degree of inclination of a slope, road, or other surface (see slope).

Hard Surface is a drive surface of concrete, asphalt, or pavers designed to support vehicles in excess of 75,000 pounds GVW under any weather condition.

Hose Lay is the extension of a hand held fire hose as it is extended around the perimeter of the structure. If the hose lay is more than 200 feet from the road to all portions of the exterior, an Operational Platform is required.

Operational Platform is an area located on site where the emergency vehicle is staged while performing emergency medical or fire fighting operations. The platform shall be 20 feet by 30 feet with a maximum cross grade of 5 percent. Operational platforms are required when a drive or adjacent street grade is greater than 12% slope or the hose lay from the truck staging area to all portions of the exterior of the structure are greater than 200 feet.

Person is a natural person, heirs, executors, administrators or assigns, and also includes a firm, partnership or corporation, its or their successors or assigns, or the agent of any of the aforesaid.

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Slope is the ground, road or other surface that forms a natural or artificial incline. The percentage of slope is determined by dividing the rise by the horizontal run multiplied by 100 [% slope = (Rise/Run) X 100].

Turn-a-round is required for emergency vehicles when the structure is more than 200 feet from the road. This can be accomplished with a circle drive with an outside radius of 40'6", T-Type hammer head 16' X 76', or a variation there of.

Turn-out is required on all extended driveways 300 feet or greater in length to a single residence. A turnout shall widen to 20 feet minimum width over minimum length of 45 feet.

903.2.7.4.2 Determination of Requirements: To determine specific fire service feature requirements for Urban Wildland Interface areas based upon access grades to the structure or parcel, Table 9-33(e) shall be used.

(xx) Section 903.4.1. Signals, is amended to read as follows:

903.4.1 Signals. Alarm, supervisory and trouble signals shall be distinctly different and shall be automatically transmitted to an Underwriters Laboratory listed or Factory Mutual approved central station, remote supervising station, or proprietary supervising station as defined in NFPA 72. As an alternative, when approved by the Fire Code Official, such signals shall sound an audible signal at a constantly attended location.

Exceptions:

1. Underground key or hub valves in roadway boxes provided by the municipality or public utility are not required to be monitored.
2. Backflow prevention device test valves, located in the limited area sprinkler system supply piping, shall be locked in the open position. In occupancies required to be equipped with a fire alarm system, the backflow preventer valves shall be electrically supervised by a tamper switch installed in accordance with NFPA 72 and separately annunciated.

(yy) Section 906.1 is amended by repealing the exception in its entirety.

Section 906.2 is amended by repealing the exception in its entirety.

(zz) Section 907.2. Where required-new buildings and structures is amended to read as follows:

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Section 907.2. Where required-new buildings and structures. An approved manual, automatic, or manual and automatic fire alarm system shall be provided in new buildings and structures in accordance with Sections 907.2.1 through 907.2.23. Where automatic sprinkler protection is installed in accordance with Section 903.3.1.1 or 903.3.1.2 is provided and connected to the building fire alarm system, automatic heat detection required by this section shall not be required. All required fire alarms shall be designed as Class A.

An approved automatic fire detection system shall be installed in accordance with the provisions of this code and NFPA 72. Devices, combinations of devices, appliances and equipment shall comply with Section 907.1.2. The automatic fire detectors shall be smoke detectors, except that an approved alternative type of detector shall be installed in spaces such as boiler rooms, where, during normal operation, products of combustion are present in sufficient quantity to actuate a smoke detector.

(aaa) Section 907.2.10.5 is enacted and includes the following subsections which shall read as follows:

Section 907.2.10.5 Carbon Monoxide Detectors

907.2.10.1.5.1 General. Dwelling units, congregate residences and hotel or lodging house guest rooms shall be provided with carbon monoxide detectors, when Gas (Natural or LPG), Oil, Kerosene or Wood burning appliances are used for heating, recreational purposes or cooking internal to the structure.

907.2.10.1.5.2 Power Source. The power source shall be a battery or domestic electrically operated system as defined by the manufacturer.

907.2.10.1.5.3 Location within the structure. Carbon Monoxide Detectors are recommended to be installed in the hallway outside of the sleeping areas and outside of furnace rooms.

907.2.10.1.5.4 Additions, alterations or repairs to these Occupancies. When the valuation of an addition, alteration or repair to a Group R Occupancy exceeds \$1000.00, a permit is required, or when Gas (Natural or LPG), Oil, Kerosene or Wood burning appliances is added to the structure a carbon monoxide detector shall be installed in accordance with Sections 8 Carbon Monoxide Detectors.

(bbb) Section 1003.6 Means of egress continuity is amended by adding the following subsections 1003.6.1 and 1003.2 which shall read as follows:

1003.6.1 The required width of a means of egress is defined as the total width of the corridor, exit, exit access, and exit discharge that was designed in the structure or building when it was constructed.

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1003.6.2 Storage in any part of a means of egress, corridor, exit, exit access, or exit discharge is prohibited.

1003.6.3 The required width of a means of egress is defined as the total width of the corridor, exit, exit access, and exit discharge that was designed in the structure or building when it was constructed.

1003.6.4 Storage in any part of a means of egress, corridor, exit, exit access, or exit discharge is prohibited.

(ccc) Section 1412 is amended by adding Section 1412.1 which shall read as follows:

1412.1 When required. An approved water supply for fire protection, either temporary or permanent, shall be made available before combustible material arrives on the site. The minimum fire flow requirement when a contractor or developer brings combustible materials on site is 1,500 gpm at 20 psi. At least one fire hydrant shall be within 500 feet of any combustible materials and capable of delivering the minimum fire flow requirement. Any hydrant may be either temporary or permanent as the project schedule permits. In addition, there are times when hydrants and valves must be closed temporarily for repair work or construction of the water system. The developer/contractor is responsible for ensuring that the water supply is available at all times. When the work is complete, developer/contractor shall coordinate with the Utilities Department to make sure that the fire hydrants are active and the valves are open.

(ddd) Section 2208.3 is amended by adding the following subsection 2208.3.2 Vehicle impact protection.

Section 2208.3.2 Vehicle impact protection. Vehicle impact protection for CNG gas storage containers, pumps and dispensers shall be provided in accordance with section 2206.4.

(eee) Table 2306.2 is replaced with the following table

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TABLE 2306.2 GENERAL FIRE PROTECTION AND LIFE SAFETY REQUIREMENTS

COMMODITY CLASS	SIZE of PILED STORAGE AREA (square feet) (Sections 2306.2 & 2306.4) ¹	ALL STORAGE AREAS (See Sections 2306, 2307 and 2308) ²				SOLID PILED STORAGE, SHELF STORAGE AND PALLETIZED STORAGE (see Section 2307.3)		
		Automatic Fire Sprinkler System (see Section 2306.4)	Building Access (see Section 2306.6)	Smoke and heat removal (see Section 2306.7)	Curtain boards (see Section 2306.7)	Maximum Pile dimension ³ (feet)	Maximum permissible storage height ⁴ (feet)	Maximum pile volume (cubic feet)
	2,501-12,000	Yes	Not Required ⁵	Not Required	Not Required	100	40	400,000
	12,000-20,000	Yes	Yes	Yes	Not Required	100	40	400,000
	20,001-500,000	Yes	Yes	Yes	Not Required	100	40	400,000
	Greater than 500,000 ⁷	Yes	Yes	Yes	Not Required	100	40	400,000
	501-2,500	Yes	Not Required	Not Required	Not Required	50	30	75,000
	2,501-300,000	Yes	Yes	Yes	Not Required	50	30	75,000
	300,001-500,000 ^{6,7}	Yes	Yes	Yes	Not Required	50	30	75,000

1 When the fire sprinkler systems are required for reasons other than those in Chapter 23, the portion of the sprinkler system protecting the high-piled storage area shall be designed in accordance with Sections 2307 and 2308.

2 For aisles, see Section 2306.9.

3 Piles shall be separated by aisles complying with Section 2306.9.

4 For storage in excess of the height indicated, special fire protection shall be provided in accordance with Note If when required by the code official. See also Chapters 28 and 34 for aerosols and flammable and combustible liquids.

5 Section 503 shall apply for fire apparatus access.

6 Special fire protection provisions such as, but not limited to, fire protection of exposed steel columns; increased sprinkler density; additional in-rack sprinklers, without associated reductions. In ceiling density; or additional fire department hose connections shall be provided when required by the code official.

7 High piled storage areas shall not exceed 500,000 square feet. A 2-hour fire wall constructed in accordance with the International Building Code shall be used to divide high-piled storage exceeding 500,000 square feet in area.

(fff) Section 2604.2.6 Fire extinguishers is amended to read as follows:

2604.2.6 Fire extinguisher. A minimum of one portable fire extinguisher complying with Section 906 and with a minimum 2-A:20-B:C rating shall be readily accessible within 30 feet (9144

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mm) of the location where hot work is performed and shall be accessible without climbing stairs or ladders.

(ggg) Section 2701.5 Permits is amended to read as follows:

2701.5 Permits. Permits shall be required as set forth in Sections 105.6 and 105.7.

When required by the fire code official, permittees shall apply for approval to permanently close a storage, use or handling facility. Such application shall be submitted at least 30 days prior to the termination of the storage, use or handling of hazardous materials. The fire code official is authorized to require that the application be accompanied by an approved facility closure plan in accordance with Section 2701.5.3.

Definitions:

Group 0: No Hazardous Materials on site.

Group 1: Special Information is required to be submitted by any facility that has quantities of chemicals greater than the permitted quantities as listed in the International Fire Code, but less than the following:

- a) 55 gallons of a liquid
- b) 500 pounds of a solid
- c) 200 cubic feet of a gas
- d) 2,500 pounds of an aerosol product.

Special Information that must be submitted shall include:

- a) A hazardous materials classification form.
- b) A hazardous materials inventory statement (HMIS).

Group 2: Special information is required to be submitted by any facility that has quantities of chemicals on site greater than the following but less than the exempt amounts as determined by the International Fire Code:

- a) 55 gallons of a liquid.
- b) 500 pounds of a solid.
- c) 200 cubic feet of a gas.
- d) 2,500 pounds of an aerosol product.

Special Information that must be submitted shall include:

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- a) A hazardous materials classification form.
- b) A hazardous materials inventory statement (HMIS).
- c) A hazardous materials storage plan.

Group 3: Special information comprised of a Hazardous Materials Management Plan (HMMP) shall be submitted whenever:

- a) Hazardous Materials exceed exempt amounts specified in IFC
- b) IFC requires detached storage.
- c) The building or site has multiple International Building Code Group H occupancy classifications.
- d) The facility is a Group H-5 Semiconductor facility.
- e) SARA Title III extremely hazardous substance is used, handled or stored on site in quantities requiring an IFC permit and which are above threshold planning quantities.
- f) When otherwise determined necessary by the Fire Marshal because of unique circumstances.

(hhh) Section 2701.5.1 Hazardous Materials Management Plan is amended to read as follows:

2701.5.1 Hazardous Materials Management Plan. When required by the fire code official, each application for a permit shall include a Hazardous Materials Management Plan (HMMP). The HMMP shall include a facility site plan and include the information set forth below.

HMMP shall be submitted annually no later than March 1st of each calendar year or more often if the hazardous material amounts change by greater than 10% in any single category or overall. HMMP shall be submitted electronically in a format acceptable to the Peoria Fire Department. The submittal shall be required to determine Fire Code Permitting criteria for storage, use, and/or handling of hazardous materials within the City of Peoria. Any electronic submittal is acceptable as long as the data will import or interface with the software program currently being used by the Fire Department. Electronic reporting shall be required for all new and existing facilities upon permit renewal.

1. Storage and use areas.
2. Maximum amount of each material stored or used in each area.
3. Range of container sizes
4. Locations of emergency isolation and mitigation valves and devices.

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5. Product conveying piping containing liquids or gases, other than utility-owned fuel gas lines and low pressure fuel gas lines.
6. On and off positions of valves for valves that are of the self indicating type.
7. Storage plan showing the intended storage arrangement, including the location and dimensions of aisles.
8. The location and type of emergency equipment. The plans shall be legible and drawn approximately to scale. Separate distribution systems are allowed to be shown on separate pages.

(iii) Section 2701.5.2 Hazardous Materials Inventory Statement is amended to read as follows:

2701.5.2 Hazardous Materials Inventory Statement (HMIS). Where required by the fire code official, an application for a permit shall include an HMIS, such as SARA (Superfund Amendments and Reauthorization Act of 1986) Title III, Tier II Report, or other approved statement. The HMIS shall include the information set forth below.

A HMIS shall be submitted annually no later than March 1st of each calendar year or more often if the hazardous material amounts change by greater than 10% in any single category or overall. HMIS shall be submitted electronically in a format acceptable to the Peoria Fire Department. The submittal shall be required to determine Fire Code Permitting criteria for storage, use, and/or handling of hazardous materials within the City of Peoria. Any electronic submittal is acceptable as long as the data will import or interface with the software program currently being used by the Fire Department. Electronic reporting shall be required for all new and existing facilities upon permit renewal.

1. Manufacturer's name.
2. Chemical name, trade names, hazardous ingredients.
3. Hazard classification.
4. MSDS or equivalent.
5. United Nations (UN), North America (NA) or the Chemical Abstract Service identification number.
6. Maximum quantity stored or used on site at one time.

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7. Storage conditions related to the storage type, temperature and pressure.

(jjj) Section 2703.5 Hazard Identification Signs is amended and shall read as follows:

2703.5 Hazardous Identification Signs. Unless otherwise exempted by the fire chief, visible hazardous identification signs as specified in NFPA 704 for the specific material contained shall be placed on stationary containers and above ground tanks and at entrances to locations where hazardous materials are stored, dispensed, used or handled in quantities requiring a permit or as required by the fire chief at specific entrances and locations designated by the fire chief.

(kkk) Section 3301.2.4 is amended by adding Section 3301.2.4.3 which shall read as follows:

3301.2.4.3 Notification requirements. Prior to conducting blasting operations or fireworks displays the permit holder is required to notify all residents within a 2,000 ft. radius of the property line of the property subject to the permit.

(lll) Section 3308.11 is amended to read as follows:

Sec. 3308.11 Retail display and sale. It is unlawful to sell, use or possess for use consumer fireworks. Fireworks may only be possessed by a person having a validly issued permit from the Fire Code Official for a display permitted on a specific date.

(mmm) Section 4002.1 Definitions is added as follows:

4002.1 Definitions. The following words and terms shall, for the purposes of this chapter and as used elsewhere in this code, have the meanings shown herein.

LIQUID OXYGEN HOME CARE CONTAINER. A container used for liquid oxygen not exceeding 15.8 gallons (60 liters) specifically designed for use as a medical device as defined by 21 USC Chapter 9, the United States Food, Drug and Cosmetic Act that is intended to deliver gaseous oxygen for therapeutic use in a home environment.

LIQUID OXYGEN AMBULATORY CONTAINER. A container used for liquid oxygen not exceeding 0.396 gallons (1.5 liters) specifically designed for use as a medical device as defined by 21 USC Chapter 9, the United States Food, Drug and Cosmetic Act that is intended for portable therapeutic use and to be filled from its companion base unit (a liquid oxygen home care container).

OXIDIZING CRYOGENIC FLUID. An oxidizing gas in the cryogenic state.

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(nnn) Section 4006 Liquid Oxygen in Home Health Care is added as follows:

SECTION 4006 LIQUID OXYGEN IN HOME HEALTH CARE

4006.1 General. The storage and use of liquid oxygen (LOX) in Group I-1, I-4 and R occupancies for home health care shall comply with Sections 4006.2 through 4006.3.7.3, as applicable.

4006.2 Information and instructions to be provided. The supplier of liquid oxygen shall provide the user with the following information in written form:

1. Manufacturer's instructions for operation of the containers used and labeling.
2. Containers shall be located away from ignition sources, exits, electrical hazards and high temperature devices.
3. Containers shall be restrained to prevent falling.
4. Requirements for transporting containers.
5. Safeguards to be followed when containers are refilled.
6. Signage as required by Section 4006.3.4

4006.3 Liquid oxygen home care containers. Only liquid oxygen home care containers no larger than 15.8 gal (60 liters) and liquid oxygen ambulatory containers shall be allowed in Group I-1, I-4, and R occupancies. These containers shall be stored, used, and filled in accordance with Sections 4006, 3203.1 and 3203.2.

4006.3.1 Manufacturer's instructions and labeling. Containers shall be stored, used and operated in accordance with the manufacturer's instructions and labeling.

4006.3.2 Locating containers. Containers shall not be located in areas:

1. Where they can be overturned due to operation of a door,
2. Where they are in the direct path of egress,
3. Subject to falling objects,
4. Where they may become part of an electrical circuit, or
5. Where open flames and high temperature devices can cause a hazard.

4006.3.3 No smoking. Smoking shall be prohibited in rooms or areas where liquid oxygen is in use.

4006.3.4 Signs. Warning signs for occupancies using oxygen in home health care shall be accordance with Sections 4006.3.4.1 and 4006.3.4.2

4006.3.4.1 No Smoking. A sign stating "OXYGEN NO SMOKING" shall be posted in the

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room or area where any liquid oxygen home care container is stored or used and liquid oxygen ambulatory containers are filled.

4006.3.4.2 Premises. Each dwelling unit or sleeping unit shall have an approved sign indicating that the unit contains liquid oxygen home care containers.

4006.3.5 Restraining containers. Liquid oxygen home care containers shall be restrained while in storage or use to prevent falling caused by contact, vibration, or seismic activity. Containers shall be restrained by one of the following methods:

1. Restraining containers to a fixed object with one or more restraints.
2. Restraining containers within a framework, stand, or assembly designed to secure the container.
3. Restraining containers by locating a container against two points of contact like the walls of a corner of a room or a wall and a secure furnishing or object like a desk.

4006.3.6 Container movement. Containers shall be transported by use of a cart or hand truck designed for such use.

Exceptions:

1. Liquid oxygen home care containers equipped with a roller base.
2. Liquid oxygen ambulatory containers are allowed to be hand carried.

4006.3.7 Filling of containers. The filling of containers shall be in accordance with Sections 4006.3.7 through 4006.3.7.3.

4006.3.7.1 Filling of home care containers. Liquid oxygen home care containers shall be filled outdoors.

4006.3.7.1.1 Incompatible surfaces. A liquid oxygen compatible drip pan shall be provided under home care container fill connections during the filling process in order to protect against liquid oxygen spillage from coming into contact with combustible surfaces, including asphalt.

4006.3.7.2 Filling of ambulatory care containers. The filling of liquid oxygen ambulatory containers is allowed indoors where the supply container is designed to fill them and written instructions are provided by the container manufacturer.

4006.3.7.3 Open flames and high temperature devices. The use of open flames and high temperature devices shall be in accordance with Section 2703.7.2.

4006.3.8 Maximum allowable quantity. The maximum allowable quantity of liquid oxygen in

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each dwelling unit or sleeping unit shall be 31.6 gallons (120 L) with not more than 15.8 gallons (60 L) in storage.

4006.3.9 Fire department notification. The liquid oxygen supplier shall notify the Fire Department of the locations of liquid oxygen home care containers.

(ooo) D103.6.1 Roads 20 to 26 feet in width. Fire apparatus access roads 20 to 26 feet wide (6096 to 7925 mm) shall be posted on both sides as a fire lane.

(ppp) D103.6.2 Roads 26 to 28 feet in width. Fire apparatus access roads 26 feet wide (7925 mm) to 28 feet wide (9754 mm) shall be posted on one side of the road as a fire lane.

(qqq) Section D105 is amended by adding the following subsection D105.4 which shall read as follows:

Section D105.4 Buildings exceeding 30 feet (9144 mm) in height above the lowest level of Fire Department access shall meet the requirements listed in Section D104.1.

Exception: Apartment buildings equipped with an NFPA 13R sprinkler system.
(Code 1977, § 4-3-2)
(Ord. No. 90-30, 8/28/90)
(Ord. No. 00-116, 7/18/2000, Renumbered from Section 9-34 and Enacted) SUPP 2000-3
(Ord. No. 01-150, 8/21/01, Amended) SUPP 2001-3
(Ord. No. 02-41, 6/4/02, Amended (l) and (m)) SUPP 2002-2
(Ord. No. 02-65, 7/9/02, Amended Tables 9-33(b) and (c)) SUPP 2002-3
(Ord. No. 03-168, 9/2/03, Amended) SUPP 2003-3
(Ord. No. 05-34, 7/5/05, Amended) SUPP 2005-3
(Ord. No. 06-23, 07/11/06, Amended) SUPP 2006-03
(Ord. No. 07-35, 11/06/07, Amended) SUPP 2007-04

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Sec. 9-34. Reserved.

(Code 1977, § 4-3-5)

(Ord. No. 90-30, 8/28/90)

(Ord. No. 93-27, 7/6/93, Amended to add (b),(c),(d),(h),(i),and (j))

(Ord. No. 95-01, 1/17/95, Amended to add appendix I-A)

(Ord. No. 96-95, 11/19/96, 1994 amendments adopted)

(Ord. No. 00-116, 7/18/2000, Renumbered to Section 9-33 and Reserved) SUPP 2000-3

Sec. 9-35. Reserved.

(Code 1977, § 4-3-3)

(Ord. No. 90-30, 8/28/90)

(Ord. No 00-116, 7/18/2000, Repealed and Reserved) SUPP 2000-3

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Sec. 9-36. Uniform Fire Code; conformance with other codes.

- A. All installations, businesses, commercial, industrial, and multi-family residential properties regulated by the uniform fire code, shall also comply with the zoning code, building code and engineering standards of the city.
- B. Where any provision of the Uniform Fire Code conflicts with the provisions of the Zoning Code, Building Code or Engineering standards of the City, the most restrictive code or standard shall apply.

(Code 1977, § 4-3-4)

(Ord. No. 90-30, 8-28-90)

Sec. 9-37. Uniform Fire Code, other codes; notice of violation.

(a) if, at any time after an inspection, the city finds one or more violations of the uniform fire code, or any other city code, the city shall in writing notify the owner or responsible party with a notice of violation sent first class united states mail or any other means reasonably calculated to provide notice to the property owner. If notice is returned by the postal service, the city may post the notice of violation upon the property. If the property in violation is not owner occupied and it contains imminent hazards, the city shall also notify the occupants.

(b) the notice of violation shall include:

- (1) identification by street address of the property in violation.
- (2) Statement of violations in sufficient detail to allow a responsible party to identify and correct the problem.
- (3) Identification of a city representative to contact.
- (4) Penalties
 - (a) civil, fines from \$50.00 To \$2,500.00
 - (b) criminal, fines and incarceration up to one year.

(Ord. No. 96-95, 11/19/96, enacted)

Sec. 9-38. Recording notice of violation.

The notice of violation shall run with the land. The city in its sole option may record a notice of violation with the Maricopa County Recorder and thereby cause compliance by an entity thereafter acquiring such property. The non-filing of any notice of violation shall in no way affect the validity of such notice as to the entities so notified. When the property is brought into compliance by the owner or responsible party, a satisfaction of notice of violation shall be filed at the request of the owner and at their expense. It is the property owner's responsibility to secure such satisfaction of notice of violation from the city.

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(Ord. No. 96-95, 11\19\96, enacted)

Sec. 9-39. Enforcement independent of other officials.

The authority of the city to enforce the provisions of this chapter is independent of and in addition to the authority of other city officials to enforce any other provision of the city code.

(Ord. No. 96-95, 11\19\96, enacted)

Sec. 9-40. Establishment of civil penalties.

(a) The city may enforce the provisions of this chapter by the imposition of civil sanctions. Civil sanctions may not exceed the maximum amount of fine for a class one misdemeanor. If an alleged violator is served with a notice of civil violation pursuant to this chapter, he shall not be subject to a criminal charge arising out of the same facts.

(b) Civil sanctions shall be enforced as provided in chapter 15 of this code.
(Ord. No. 96-95, 11\19\96, enacted)

Sec. 9-41. Jurisdiction.

Jurisdiction of all proceedings to enforce the provision of this chapter shall be in the Municipal Court of the City of Peoria.

(Ord. No. 96-95, 11\19\96, enacted)

Sec. 9-42. Fire Department; codes; violations and penalties.

(a) The remedies herein are cumulative and the city may proceed under one or more such remedies.

(b) Any owner, responsible party or other person having control over a structure or parcel of land, who causes, permits, facilitates or aids or abets any violation of any provision of this chapter, unless specifically provided otherwise or who fails to perform any act or duty required by this chapter is subject to a civil sanction of not less than Seventy-Five dollars (\$75.00) Nor more than two thousand, five hundred dollars (\$2,500.00).

(c) Any owner, responsible party or other person having control over a structure or parcel of land, who causes, permits, facilitates or aids or abets any violation of any provision of this chapter, unless specifically provided otherwise or who fails to perform any act or duty required by this chapter is guilty of a class one misdemeanor.

(d) The owner of record as recorded in the maricopa county recorder's office shall be

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presumed to be a person having lawful control over a structure or parcel of land. If more than one person shall be recorded as the owner of the property, such persons shall be jointly and severally presumed to be persons having control over a parcel of land.

(e) Each day any violation of the provisions of this chapter or the failure to perform any act or duty required by this chapter is guilty of a class one misdemeanor.

(f) It is an affirmative defense for an owner of record that any violation of this chapter was caused by an act or acts of a lessee or tenant who was a resident of the property on the date the violation is alleged to have occurred. Such affirmative defense must be filed in the office of the city attorney at least twenty days in advance of the date set for trial.

(g) Any person who shall violate any of the provisions of this code or fail to comply therewith, or shall violate or fail to comply with any order made thereunder, or shall build, in violation of any detailed statement of specifications or plans submitted and approved thereunder, and from which no appeal has been taken, or who shall fail to comply with such an order as affirmed or modified by a City Hearing Officer or by a court of competent jurisdiction, within the time fixed herein shall severely for each and every violation and non-compliance respectively, be guilty of a class one misdemeanor, punishable by a fine of not more than Two Thousand, Five Hundred (\$2,5000.00) dollars or by imprisonment, not to exceed six (6) months or by both such fine and imprisonment. Each day that a violation continues unabated shall be a separate offense punishable as herein above described.

(i) The correction of the violation under this chapter shall not be held to prevent the enforcement of the violation in accordance with this section.

(h) Any person who violates 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 code official, or of a permit or certificate issued under the provisions of this code, shall be guilty of a Class 1 Misdemeanor punishable by a fine or by imprisonment, or both such fine and imprisonment. Each day that a violation continues after due notice has been served shall be deemed a separate offense.

(Ord. No. 96-95, 11\19\96, enacted)

(Ord. 03-168, 9/2/03, Amended) SUPP 2003-3

Sec. 9-43. Fire Department; unlawful acts

(a) It is unlawful for any person to refuse to obey an official order issued by the fire chief or designee.

(b) It is unlawful for any person to attempt to obstruct or obstruct the operations of the fire

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department in connection with a suspected or reported fire or other emergency, whether or not such fire or emergency is found to exist, or disobeys any lawful command of the chief or officer of the fire department who is in charge of such operations, or any part thereof, or any police officer assisting the fire department. Such person shall be guilty of a class one (1) misdemeanor.

(c) It is unlawful for any person to operate any vehicle in a negligent, willful or careless manner to permit the same to obstruct the progress of any apparatus of the fire department organization going to a suspected, reported or actual fire or other emergency or who shall willfully damage any hose or apparatus belonging to the fire department. Such person shall be guilty of a class one (1) misdemeanor. The Court shall order restitution to the City for any damage incurred from a violation of this section.

(d) It is unlawful for any person to cause any obstruction to be placed within ten (10) feet of the entrance to any fire station or other place where fire apparatus is stored or with fifteen (15) feet of any fire hydrants.

(e) It is unlawful for any person to load or unload flammable liquids to or from a tank vehicle unless such loading and unloading can be done with the entire tank vehicle located on private property where the loading or unloading is done.

(Ord. No. 96-95, 11/19/96, enacted)

(Ord. 03-168, 9/2/03, Amended) SUPP 2003-3

Secs. 9-44. through 9-45. Reserved.

(Ord. No. 96-95, 11/19/96)

(Ord. No. 00-116. 7/18/2000, Reserved) SUPP 2000-3

(Ord. No. 2010-33. 11/16/2010, Amended) SUPP 2010-4

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Sec. 9-46. Fireworks; definitions.

(a) The following words, terms and phrases, when used in this article, have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

(1) Consumer fireworks means those fireworks defined by Arizona Revised Statutes Section 36-1601.

(2) Display fireworks means those fireworks defined by Arizona Revised Statutes Section 36-1601.

(3) Fireworks means any combustible or explosive composition, substance or combination of substances, or any article prepared for the purpose of producing a visible or audible effect by combustion, explosion, deflagration or detonation, that is a consumer firework, display firework or permissible consumer firework as defined by Arizona Revised Statutes Section 36-1601.

(4) Novelty item means federally deregulated novelty items that are known as snappers, snap caps, party poppers, glow worms, snakes, toy smoke devices, sparklers and certain toys as defined in Arizona Revised Statutes Section 36-1601.

(5) Permissible consumer fireworks means those fireworks as defined by Arizona Revised Statutes Section 36-1601 that may be sold within the City of Peoria even where the use of those items has been prohibited.

(6) Supervised public display means a monitored performance of display fireworks open to the public and authorized by permit by the Fire Marshall and/or Fire Chief or their designee
(Ord. No. 2010-33. 11/16/2010, Enacted) SUPP 2010-4
(Ord. No. 2011-26. 12/6/2011, Amended by removing sunset clause of Ord. 2010-33) SUPP 2012-2

Sec. 9-47. Fireworks; prohibited; exceptions.

(a) The use, discharge or ignition of fireworks within the City of Peoria is prohibited. The use of all consumer fireworks is banned within the incorporated City of Peoria.

(b) Permits may be granted by the Fire Marshal and/or Fire Chief or their designee for conducting a properly supervised public display of fireworks. Every such public display of fireworks shall be of such character and so located, discharged or fired, only after proper inspection and in a manner that does not endanger persons, animals or property. A permit shall not be issued and may be revoked, during time periods of High Fire Danger warnings. The Fire Marshal and/or Fire Chief have authority to impose conditions on any permits granted.

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(c) Failure to comply with any permit requirements issued by the Fire Marshal and/or Fire Chief shall result in the immediate termination of the permit and imposition of a civil penalty of not less than five hundred dollars (\$500.00) imposed by the Fire Chief. A revocation of the permit or imposition of a civil penalty may be appealed in the manner provided for license appeals pursuant to Chapter 11 of this code
(Ord. No. 2010-33. 11/16/2010, Enacted) SUPP 2010-4

Sec. 9-48. Fireworks; sale of fireworks; violations.

(a) No person shall sell or permit or authorize the sale of permissible consumer fireworks to a person who is under sixteen years of age.

(b) No person shall sell or permit or authorize the sale of permissible consumer fireworks in conflict with state law.

(c) It shall be a class one misdemeanor to sell, permit or authorize the sale of permissible consumer fireworks in violation of state law.
(Ord. No. 2010-33. 11/16/2010, Enacted) SUPP 2010-4

Sec. 9-49. Fireworks; posting of signs by persons engaged in the sale of fireworks; civil penalty.

(a) Prior to the sale of permissible consumer fireworks, every person engaged in such sales shall prominently display signs indicating the following:

(1) NOTICE: Use of fireworks, including permissible consumer fireworks is not allowed in the City of Peoria.

(2) Consumer fireworks authorized for sale under state law may not be sold to persons under the age of 16.

(b) Any person who obtains a business license for the sale of retail fireworks under this section shall have signage placed at each cash register and in each area where fireworks are displayed for sale informing customers that the use of fireworks in the City of Peoria is prohibited.

(c) The prominently displayed signs are required to be at least 8½ X 11 at a minimum and the type (font) size cannot be less than 1 inch in size.

(d) Failure to comply with subparts a, b, and c of this section is a civil offense punishable by a civil fine of not less than two hundred dollars (\$250.00) for each violation

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(Ord. No. 2010-33. 11/16/2010, Enacted) SUPP 2010-4

Sec. 9-50. Fireworks; authority to enforce violations of this article; means of enforcement.

(a) The Fire Marshal and/or Fire Chief or their designee, a police officer or the Peoria City Attorney may issue civil complaints to enforce violations of this article designated as civil offenses.

(b) Any person authorized pursuant to this section to issue a civil complaint may also issue a notice of violation specifying actions to be taken and the time in which they are to be taken to avoid issuance of a civil or criminal complaint.

(c) A Peoria police officer or the Peoria City Attorney may issue criminal complaints to enforce sections 9-46 through 9-52.

(Ord. No. 2010-33. 11/16/2010, Amended) SUPP 2010-4

Sec. 9-51. Fireworks; liability for emergency responses related to use of fireworks; definitions.

(a) A person who uses, discharges or ignites permissible consumer fireworks, fireworks or anything that is designed or intended to rise into the air and explode or to detonate in the air or to fly above the ground, is liable for the expenses of any emergency response that is required by such use, discharge or ignition. The fact that a person is convicted or found responsible for a violation(s) of this article is prima facie evidence of liability under this section.

(b) The expenses of an emergency response are a charge against the person liable for those expenses pursuant to subpart (a) of this section. The charge constitutes a debt of that person and may be collected proportionately by the public agencies, for-profit entities or not-for-profit entities that incurred the expenses. The person's liability for the expense of an emergency response shall not exceed five hundred sixty-nine dollars (\$569.00) per hour of emergency response time for a single incident depending on the apparatus and personnel required to respond. The person will be liable for a minimum hourly rate upon response. The liability imposed under this section is in addition to and not in limitation of any other liability that may be imposed.

(c) For the purpose of this section:

(1) "Expenses of an emergency response" means reasonable costs directly incurred by public agencies, for-profit entities or not-for-profit entities that make an appropriate emergency response to an incident.

(2) "Reasonable costs" includes the costs of providing police, fire fighting, rescue and emergency medical services at the scene of an incident and the salaries of the persons who respond to the incident

CHAPTER 9 – FIRE PREVENTION AND PROTECTION

(Ord. No. 2010-33. 11/16/2010, Enacted) SUPP 2010-4

Sec. 9-52. Fireworks; penalty.

The penalty for violating any prohibition or requirement imposed by this article is a class two misdemeanor and is punishable by a fine not to exceed seven hundred fifty dollars (\$750.00) or jail time not to exceed four (4) months.

(Ord. No. 2010-33. 11/16/2010, Enacted) SUPP 2010-4

Secs. 9-53 through 9-55. Reserved.

(Ord. No. 2010-33. 11/16/2010, Enacted as Reserved) SUPP 2010-4

CHAPTER 9 – FIRE PREVENTION AND PROTECTION

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CODE COMPARATIVE TABLE

ORDINANCES

This table gives the location within this Code of those ordinances adopted since the 1977 Code, as updated through December 31, 1990, which are included herein. Ordinances adopted prior to such date were incorporated into the 1977 Code, as supplemented. This table contains some ordinances which precede December 31, 1990, but which were never included in the 1977 Code, as supplemented, for various reasons. Ordinances not listed herein have been omitted as repealed, superseded or not of a general and permanent nature.

This table has been amended in the following supplements since December 31, 1998: SUPP 1999-1; SUPP 1999-2.

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95-19	4-4-1995	1	14-67
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02-54	06-18-2002	1	2-150
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02-58	06-18-2002	1	20-29
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02-63	07-09-2002	1	Table 2-199
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03-157	07-01-2003	1	1-5
03-159	07-01-2003	1	13-41
03-167	09-02-2003	1	18-27
03-168	09-02-2003	1	9-3
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03-169	09-16-2003	1-4	13-20 – 13-23
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04-24	05-18-2004	1	20-59
04-28	06-01-2004	1	13-84
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04-175	06-15-2004	1	8-1
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04-193	09-14-2004	1	2-101
04-196	09-21-2004	1	2-224 and Table
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04-213	12-14-2004	1	18-61 repealed
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		5	18-63 repealed
		6	18-63 enacted
		7	18-64 repealed
		8	18-64 enacted
		9	18-65 repealed
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05-18	03-22-2005	1-4	13-7 - 13-10
05-23	04-05-2005	1	25-50 - 25-59 enacted
05-29	06-21-2005	1	2-211 and Table 211
05-31	06-21-2005	1	2-81 enacted
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06-23	07/11/07	1	2-215 and Table 2-215
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06-32	09/05/06	1	13-77 Repealed
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06-41	11/14/06	1	11-190 Enacted
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06-43	11/14/06	1	15-07 Enacted
06-47	12/12/06	1-2	02-52 and 02-53
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06-51	12/12/06	1	24—79 Amended
07-07	03/20/07	1	12-100 Amended
		2	12-410 Amended
		3	12-415 Amended
		4	12-416 Amended
		5	12-417 Amended
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		9	12-470 Amended
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07-09	03/20/07	1	02-207 Table Amended
07-11	04/17/07	1	02-209 Table Amended
		2	05-04 Amended
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		4	Table 5-21 Repealed
		5	05-25 Amended
		6	05-41 Amended
		7	05-61 Repealed
		8	05-76 Amended
		9	05-91 Amended
		10	05-126 Repealed
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07-13	04/17/07	1	14-103 Amended
		2	14-106 Amended
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07-15	06/05/07	1	02-207 Table Amended
07-21	07/14/07	1	15-15 Renumber 15-20
		2	15-16 Renumber 15-21
		3	15-10 Renumber 15-22
		4	15-11 Renumber 15-23
		5	15-12 Enacted
		6	15-12 Renumber 15-13
		7	15-14 Enacted
		8	15-13 Renumber 15-15
		9	15-14 Renumber 15-16
		10	15-17 Enacted
		11	15-18 Enacted
		12	15-19 Enacted
		13	15-10 & 15-11 Reserved
07-23	07/14/07	1	2-160 Amended
		2	2-161 Amended
		3	2-162 Amended
		4	2-163 Amended
		5	2-164 Repealed
07-24	08/21/07	1	2-207 Table Amended
07-25	08/21/07	1	15-15 Renumber 15-20
		2	15-16 Renumber 15-21
		3	15-10 Renumber 15-22
		4	15-11 Renumber 15-23
		5	15-12 Enacted
		6	15-12 Renumber 15-13
		7	15-14 Enacted
		8	15-13 Renumber 15-15
		9	15-14 Renumber 15-16
		10	15-17 Enacted
		11	15-18 Enacted
		12	15-19 Enacted
		13	15-10 & 15-11 Reserved
07-28A	10/04/07	1	03-02 Reserved.
		2	16-1 to 16-28 Repealed
		3	16-1 Enacted
		4	16-2 Enacted
		5	16-3 Enacted
		6	16-4 Enacted

CODE COMPARATIVE TABLE ORDINANCES INCLUDED

Ordinance Number	Date	Section	Section this Code
07-30	09/04/07	7	16-5 Enacted
		1	2-20 Enacted
		2	2-45 to 2-48 Reserved
		3	2-51 renumbered 2-49
		4	2-52 renumbered 2-50
		5	2-53 renumbered 2-51
		6	2-52 Enacted
		7	2-53 Enacted
		8	2-54 Enacted
			Table 2-199 Amended
		9	2-54 renumber to 2-55
		10	2-55 renumber to 2-56
		11	2-56 renumber to 2-57
		12	2-57 renumber to 2-58
		13	20-21 Enacted
		14	20-22 Enacted
15	20-23 Enacted		
07-32	10/02/07	16	20-24 Enacted
		1	2-209 Amended
			Table 2-209 Amended
		2	5-21 Amended
		3	5-44 Amended
07-33	10/16/07	4	5-78 Amended
		5	5-91 Repealed-Reserved
		1	17-65 Enacted
		2	17-66 Enacted
		3	17-67 Enacted
07-34	10/16/07	4	17-68 Enacted
		5	17-69 Enacted
		6	17-70 Enacted
		1	19-01 Amended
	19-02 Repealed-Reserved		
07-35	11/06/07	2	09-31 Amended
07-35	11/06/07	1	09-33 Amended
07-37	11/20/07	2	25-01 to 25-74 Repealed
		1	Table 25-07 Repealed
			Table 25-74 Repealed
			25-01 to 25-74 Enacted
			Table 25-31 Enacted

CODE COMPARATIVE TABLE ORDINANCES INCLUDED

Ordinance Number	Date	Section	Section this Code
			Table 25-32 Enacted
			25-01 to 25-13 Enacted
			25-14 to 25-16 Reserved
			25-17 to 25-23 Enacted
			25-24 Reserved
			25-25 to 25-27 Enacted
			25-28 Reserved.
			25-29 to 25-35 Enacted.
			25-36 to 25-37 Reserved
			25-38 to 25-41 Enacted
			25-42 to 25-52 Reserved
			25-53 to 25-54 Enacted.
			25-55 to 25-60 Reserved
			25-61 to 25-67 Enacted
			25-68 to 25-74 Reserved
07-38	11/20/07	1	02-224 Existing Repealed
			02-224 Enacted
			Table 02-224 Enacted
			Tables 44-49 Enacted
07-39	12/18/07	1	02-18 Enacted
07-41	12/18/07	1	02-65 Amended
		2	13-24 Amended
		3	13-25 Amended
		4	13-26 renumber to 13-72
		5	13-26 Enacted
		6	17-03 Amended
07-42	12/18/07	1	14-67 Amended
07-43	12/18/07	1	20-53 Amended, Tables
			20-53(a)&(b)Amended
07-44	12/18/07	1	Table 22-22A Amended
07-45	12/18/07	1	Table 25-31 Amended
		2	Table 25-32 Amended
		3	Table 25-95.1 Amended
08-01	01/15/08	1	02-302 Amended
		2	02-302.1 Enacted
		3	02-302.2 Enacted
		4	02-302.3 Enacted
		5	02-304 Amended
		6	02-306 Amended

CODE COMPARATIVE TABLE ORDINANCES INCLUDED

Ordinance Number	Date	Section	Section this Code
		7	02-306.1 Enacted
		8	02-306.2 Enacted
		9	02-307 Amended
		10	02-307.1 Enacted
		11	02-307.2 Enacted
		12	02-307.3 Enacted
		13	02-307.4 Enacted
		14	02-307.5 Enacted
		15	02-308 Amended
		16	02-308.1 Enacted
		17	02-308.2 Enacted
		18	02-308.3 Enacted
		19	02-309 Amended
		20	02-309.1 Enacted
		21	02-310 Amended
		22	02-311 Amended
		23	02-312 Amended
		24	02-313 Amended
		25	02-313.1 Enacted
		26	02-313.2 Enacted
		27	02-313.3 Enacted
		28	02-313.4 Enacted
		29	02-313.5 Enacted
		30	02-313.6 Enacted
		31	02-314 Amended
		32	02-314.01 Enacted
		33	02-315 Amended
		34	02-315.1 Enacted
		35	02-317 Amended
		36	02-318 Amended
		37	02-318.1 Enacted
		38	02-318.2 Enacted
		39	02-318.3 Enacted
08-01	01/15/08	40	02-318.4 Enacted
		41	02-318.5 Enacted
		42	02-319 Amended
		43	02-321 Amended
		44	02-321.1 Enacted
		45	02-321.2 Enacted

CODE COMPARATIVE TABLE ORDINANCES INCLUDED

Ordinance Number	Date	Section	Section this Code
		46	02-321.3 Enacted
		47	02-322 Amended
		48	02-325 Amended
		49	02-326 Amended
		50	02-326.1 Enacted
		51	02-327 Amended
		52	02-327.1 Enacted
		53	02-327.2 Enacted
		54	02-327.3 Enacted
		55	02-327.4 Enacted
		56	02-327.5 Enacted
		57	02-327.6 Enacted
		58	02-327.7 Enacted
		59	02-327.8 Enacted
08-05	03/18/08	1	13-25 Amended
08-08	04/15/08	1	12-100 Amended
		2	12-415 Amended
		3	12-416 Amended
		4	12-417 Amended
		5	12-465 Amended
08-12	05/20/08	1	02-151 Amended
		2	02-152 Amended
		3	02-153 Amended
		4	02-154 Amended
		5	02-156 Amended
		6	15-01 Amended
		7	15-03 Amended
		8	15-08 Enacted
08-19	07/01/08	1	02-207 Amended
			Table 02-207 Amended
08-21	07/01/08	1	14-66 Amended
08-21	07/01/08	2	14-67 Amended
		3	14-68 Amended
08-21	07/01/08	4	14-69 Amended
		5	14-70 Amended
		6	14-73 Amended
		7	14-74 Amended
08-27	08/26/08	1	20-70 Amended
08-28	08/26/08	1	20-53 Amended

CODE COMPARATIVE TABLE ORDINANCES INCLUDED

Ordinance Number	Date	Section	Section this Code
		2	Table 20-53(c) Enacted 22-22 Amended
		4	Tbl 22-22(a)(2) Enacted 25-95 Amended
08-31	10/07/08	1	Table 25-95.1(b) Enacted 19-22 Repealed, Reserved
08-32	11/18/08	1	18-50 Enacted 18-51 Enacted 18-52 Enacted 18-53 Enacted 18-54 Enacted 18-55 Enacted 18-56 Enacted 18-57 Enacted 18-58 Enacted 18-59 Enacted 18-60 Enacted
08-36	12/16/08	1	Table 2-199 Amended
		2	Table 2-202 Amended
09-01	01/09/09	1	02-16 Amended
09-02	01/20/09	1	10-18 Amended
		2	10-19 Amended
09-13	05/05/09	1	14-80 Amended
09-14	05/05/09	1	02-187 Enacted
09-15	06/02/09	1	02-50 Amended
		2	02-57 Amended
		3	02-58 Amended
		4	02-77 Amended
		5	02-85 Enacted
09-15	06/02/09	6	02-152 Amended
09-17	06/16/09	1	Table 2-207 Amended
09-18B	10/20/09	1	14-107 Amended
09-24	08/25/09	1	2-89 Repealed
		2	2-90 Repealed
		3	2-91 Repealed
09-24	08/25/09	4	2-66 Amended
		5	2-67 Amended
09-25	08/25/09	1	2-79 Amended
09-26	08/25/09	1	2-86 Amended

CODE COMPARATIVE TABLE ORDINANCES INCLUDED

Ordinance Number	Date	Section	Section this Code
09-27	08/25/09	2	2-87 Repealed
		1	2-102 Repealed
			2-103 Repealed
			2-104 Repealed
09-28	08/25/09	2	2-102 Enacted
		3	2-103 Enacted
		4	2-104 Enacted
		1	2-400 Repealed
		2	2-401 Repealed
		3	2-403 Repealed
		4	23-1 Repealed
09-29	08/25/09	5	2-105 Enacted
		6	2-106 Enacted
		7	2-107 Enacted
		1	2-170 Amended
		2	2-171 Amended
		3	2-172 Amended
		1	9-1 Amended
09-30	08/25/09	1	18-1 Amended
09-31	08/25/09	1	20-1 Amended
09-32	08/25/09	1	20-2 Amended
		2	20-4 Amended
		3	21-16 Amended
09-33	08/25/09	1	23-4 Amended
09-34	08/25/09	1	02-101 Amended
09-36	09/15/09	1	2-3 Amended
09-37	10/06/09	1	16-3 Amended
09-38	10/20/09	1	23-52 Amended
09-38	10/20/09	2	25-76 Amended
09-39	10/20/09	1	25-94 Repealed
		2	25-134 Amended
		3	25-135 Amended
		4	25-136 Repealed,
		5	Renumber 25-99 to 25-136
		6	25-138 Amended
		7	25-139 Amended
		8	25-141 Amended
		9	25-142 Amended

CODE COMPARATIVE TABLE ORDINANCES INCLUDED

Ordinance Number	Date	Section	Section this Code
		10	25-143 Amended, Repealed
		11	25-144 Amended
		12	25-145 Amended
		13	25-146 Amended
		14	25-147 Amended
		15	25-148 Amended
		16	25-149 Amended
		17	25-151 Amended
		18	25-152 Amended
		19	25-153 Amended
		20	25-159 Amended
		21	25-160 Amended
		22	25-161 Amended
		23	25-162 Amended
		24	25-163 Amended
		25	25-171 Amended
		26	25-172 Amended
		27	25-173 Amended
		28	25-174 Amended
		29	25-175 Amended
		30	25-176 Amended
		31	25-177 Enacting
		32	25-178 Enacting
		33	25-179 Enacting
09-39	10/20/09	34	25-180 Enacting
		35	25-181 Enacting
		36	25-182 Enacting
		37	25-183 Enacting
		38	25-184 Enacting
		39	25-185 Enacting
		40	25-186 Enacting
09-43	11/17/09	1	2-150 Amended
		2	2-152 Amended
2010-01	01/19/2010	1	2-150 Amended
2010-02	01/19/2010	1	14-80 Amended
2010-03	01/19/2010	1	17-51 Amended
2010-04	01/19/2010	1	25-14 Enacted
2010-05	01/19/2010	1	19-16 Amended

CODE COMPARATIVE TABLE ORDINANCES INCLUDED

Ordinance Number	Date	Section	Section this Code
		2	19-17 Amended
		3	19-18 Amended
		4	19-19 Amended
		5	19-20 Amended
		6	19-21 Amended by renumber 19-17 to 19-21
		7	19-22 Amended by renumber 19-18 to 19-22
		8	19-23 Amended by renumber 19-19 to 19-23
		9	19-24 Amended by renumber 19-20 to 19-24
		10	19-25 Amended by renumber 19-21 to 19-25
2010-06	02/02/2010	1	24-120 Enacted
		2	24-121 Enacted
		3	24-122 Enacted
		4	24-123 Enacted
		5	24-124 Enacted
		6	24-125 Enacted
		7	24-126 Enacted
		8	24-127 Enacted
2010-06	02/02/2010	9	24-128 Enacted
		10	24-129 Enacted
		11	24-130 Enacted
		12	24-131 Enacted
		13	24-132 Enacted
		14	24-133 Enacted
		15	24-134 Enacted
		16	24-135 Enacted
		17	24-136 Enacted
		18	24-137 Enacted
		19	24-138 Enacted
		20	24-139 Enacted
		21	24-140 Enacted
		22	24-141 Enacted
		23	24-142 Enacted
		24	24-143 Enacted
2010-07	02/16/2010	1	17-66 Amended

CODE COMPARATIVE TABLE ORDINANCES INCLUDED

Ordinance Number	Date	Section	Section this Code
2010-11	06/01/2010	1	12-350.3 Enacted
		2	12-415 Amended
		3	12-416 Amended
		4	12-417 Amended
		5	12-450 Amended
		6	12-570 Amended
2010-12	06/15/2010	1	Table 2-207 Amended
2010-13	07/06/2010	1	18-61 Amended
		2	18-62 Amended
			18-63 Amended
			18-64 Amended
		3	18-65 Amended
			18-66 Amended
		4	18-67 Amended
		5	18-68 Amended
		6	18-69 Amended
			18-70 Amended
	7	18-71 Amended	
2010-25	09/07/2010	1	R12-100.1 to R12-571.1 Re-enacted
2008-30	09/16/2008	1	Appendix A
2010-26	09/07/2010	1	Appendix A
2010-29	10/19/2010	1	14-68 Amended
2010-30	10/19/2010	1	2-322 Amended
2010-32	11/16/2010	1	2-227 Amended
2010-33	11/16/2010	1	9-44 thru 9-45 Amended as Reserved
		1	9-46 Enacted
		2	9-47 Enacted
		3	9-48 Enacted
		4	9-49 Enacted
		5	9-50 Enacted
		6	9-51 Enacted
		7	9-52 Enacted
	8	9-53 thru 9-55 Enacted as Reserved	
2010-35	12/07/2010	1	25-1 Amended
		2	25-119 Amended
		3	25-122 Amended

CODE COMPARATIVE TABLE ORDINANCES INCLUDED

Ordinance Number	Date	Section	Section this Code
		4	2-406 Amended
		5	2-407 Amended
		6	2-410 Amended
		7	2-224 Amended
		8	Table 2-224 Amended
2011-07	02/15/2011	1	17-72 Amended
2011-07	2/15/2011	17-72 Amended	
2011-17	9/06/2011	8-5 Amended	
2011-22	11/01/2011	1	5-101 Amended
		2	5-102 Amended
		3	5-111 Amended
		4	5-112 Amended
		5	5-113 Amended
		6	5-114 Amended
		7	5-115 Amended
		8	5-116 Amended
		9	5-117 Amended
2011-23	11/01/2011	1	25-1 Amended
		2	25-15 Amended
		3	25-42 Amended
2011-24	11/15/2011	1	12-100 Amended
		2	12-415 Amended
		3	12-416 Amended
		4	12-417 Amended
		5	12-445 Amended
		6	12-595 Amended
		7	12-660 Amended
2011-26	12/06/2011	1	Ord. 2010-33 Amended through Sec. 9-46
2011-27	12/06/2011	1	22-21 Repealed
		2	22-22 Repealed
		3	Table 22-22A Repealed Table 22-22A(2) Repealed
		4	22-21 Reserved 22-22 Reserved
2011-28	12/06/2011	1	Table 20-53(a) Repealed Table 20-53(b) Amended Table 20-53(c) Amended

CODE COMPARATIVE TABLE ORDINANCES INCLUDED

Ordinance Number	Date	Section	Section this Code
2012-08	05/01/2012	1	5-3 Repealed & Adopted
		2	5-4 Amended
		3	5-7 Amended
		4	5-8 Amended
		5	5-9 Amended
		6	5-21 Amended
		7	5-24 Repealed & Reserved
		8	5-25 Amended
		9	5-41 Amended
		10	5-44 Amended
		11	5-76 Amended
		12	5-78 Amended